

AN EXACT
ABRIDGEMENT
OF ALL
STATUTES

In *Force* and *Use*, upon the 4th

day of *January*, in the Year
of our Lord 16⁴¹.

1796
536

Faithfully Extracted out of the said Statutes,
from the beginning of

MAGNA CARTA:

to the said time, and Alphabetically
digested under apt Titles. *A Stone*

Whereunto is also annexed, a perfect *TABLE*,
which may serve as a *Concordance*, for the ready
discovery of any material clause throughout
the said *STATUTES*.

By *EDM. WINGATE*, of *Grayes Inne* Esq.

The second Edition corrected and amended: Also two
other usefull *Tables* annexed thereunto by
the same Author.

Alphonſus Menefius.

*Ut ratis in scopulos errat peritura latentes
Nullus ubi, Celsa Puppi Magister adest:
Hand aliter, legum populo dum frena relaxas,
Dum Regi solvis vincula TOT Aruit.*

L O N D O N:

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AN EXACT
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OF ALL
STATUTES

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THE PREFACE.



Lbeit to affirm, that the Statute-Law is more ancient then the Common Law, to most men may seem a *Paradox*, yet if we consider the Laws made by *Alfred*, and his 39 *Comites* at the beginning of the Monarchy of this Nation, and in part expressed by *Andreas Horne* in his *Mirrou* of Justices, those other also established by his successors, and especially by *Edward* the Confessor: and last of all the mixture of those Lawes, together with some Brittiish Customes, and part of the Norman Law, introduced by the *Conquerour*, why may it not be safely affirmed, that the present Common Law is nothing else but a digest or coalition of such Constitutions as were established in those several Ages to have the force of Laws, and by length of time and common usage quite losing the title and form of Statute-Laws became the common or municipi-

The Preface.

pal Law of the Nation? For although at this day the Statute-Law writes not more time then *nono* of *H. 3.* yet (doubtlesse) in all Ages Lawes were framed by the King and Representatives of the People for the peace and regular government of the Nation: But whether of those Lawes are more ancient concerns not our present purpose, which aimes at nothing else but a convenient order for the ready finding out of any Statute in force and use at the late Kings departure from the then Parliament; and likewise for the comprehending of the compleat scope & sence thereof, so far forth as may possibly be expected from a Collection, that professeth it self to be nothing else but an Abridgement; both which expedients I have herein endeavoured to supply: Nevertheless, this being but an extract of the Statutes at large; when any doubt shall arise in the Text (as you shall finde it here abridged) relie not wholly hereupon, but (in such case) repair to the Statutes at large; for the readie finding whereof this Abridgement will also serve as a perfect Table: Howbeit, the Statutes here are (for the most part) so fully abridged, that (as I conceive) you shall not have often occasion to trouble your self with the Book at large.

This Collection was at first undertaken by me at the instance of divers persons Learned in the Law, and others of my friends and acquaintance: for having formerly published an Abridgement of such Statutes, as concern the Office of a Justice
of

The Preface.

of Peace, they were desirous, that the whole Body of the Statutes might be reduced into the like form, which accordingly I have performed, together with the scope of the Text in most places more fully rendered than in that; Besides, some of the Members of the said Parliament did importune me to collect all Statutes, that concerned one and the same title under one head; to the end, they might be reduced into one Act respectively, according to that of *Labourers* in 5 *Eliz.* These Inducements gave me occasion to frame this Abridgement: howbeit that Parliament being determined, and afterwards the time seeming (for a while) tempestuous against the Law, leaving no certainty to depend upon, whether or no the Laws then in being should remain or be changed into new Precepts, I thought it expedient to suppress the publication hereof; But now, that there is another Parliament sitting, which hath power to establish both the Statute and Common Law in such a posture, as may best fit this Common-wealth, and to the end I may adde a stone to the repair of that building, I have presumed to expose this *Abstract* to publick view: To the end, that (if it shall be thought convenient) such Statutes as are obsolete or superfluous may be expunged; others that are wholesome Laws, concern one and the same title, and will admit mixture, may be reduced into one Act, and the rest which shall be thought fit to continue, and yet cannot be so reduced, lest the sence thereof

The Preface.

thereof may be thereby inverted, may nevertheless be readily discovered and understood for the publique good of this Common-wealth.

As concerning the *Tables* annexed to this Abridgement, you may observe the first to consist of three severall kindes of letters; *viz.* 1 English, whereby are exprest the principal titles of the Book, together with the page where you shall finde them: The second is Roman, which are not Titles in the Book, yet have something exprest concerning them in and under the said Titles: The third is *Italique*, which will direct you to such Titles as concern the two former respectively.


The next *Table* hath this use, *viz.* when the year of the King or Queens Reign, together with the number of the Chapter of any Statute is known, just against that number you may discover the *Title*, under which that Statute may be found.

The third and last *Table* sheweth with what year of Christ any year of any King or Queens Reign is contemporary, from the Conquest to the late Kings death.

AN EXACT
 A BRIDGEMENT
 OF ALL
 STATUTES

In *Force and Use* ; until
 the fourth of *January* , in the
 Year of our Lord, 16 $\frac{41}{2}$.

Ability and Non-ability.

I. Stat.  Articuli Cleri. cap. 13. Anno 9. E. 2. The examination of a person presented to a benefice belongeth to the Ecclesiasticall Judge.

II. Stat. 25. E. 3. Stat. 2. De natis *ultra mare*. The Kings children are inheritable in *England*, wheresoever born.

III. Subjects children (born beyond sea) are also inheritable, so that their parents at the time of their birth were within the Kings Allegiance, and that the mother went beyond sea with her husbands consent.

IV. If Bastardie be alleadged against any born beyond sea, the Certificate shall be made by the Bishop of the place where the Land demanded lyeth.

V. Stat. 42. E. 3. 10. Children born beyond sea in the Kings Dominions, shall be inheritable in *England*.

VI. Stat. 31. H. 8. 6. Religious persons professed in Corporations seised by the King, shall be enabled to inherit, purchase, sue, and to be sued, and also to have and enjoy any matter or thing, which shall accrue unto them since their deraignment, but shall not sue for any former right descended unto them.

Account.

VII. Religious persons being Priests, or that have vowed Religion at 21 years of age, shall not marry.

VIII. Stat. 33. H. 8. 29. Religious persons professed in Corporations, translated from one kinde to another, shall be enabled to inherit, purchase, sue, and be sued, &c. as well as in those seised by the King.

IX. Stat. 5. 6. E. 6. 13. Religious persons shall be adjudged inheritable to their Ancestors only from the time of their deraignment, but not by reason of any former right accrued before such deraignment.

X. Stat. 16. 17. Car. 27. An act for disabling all persons in Holy Orders to exercise any temporal jurisdiction or authority. See *Statute at large*.

Account.

I. Stat. *Marlebridge*, Cap. 23. 52. H. 3. Bailiffs of Lords who withdraw themselves from accounting, and have not whereof to be distrained, shall be attached by the Sheriffe, and made to Account.

II. Stat. *West.* 2. Cap. 11. 13. E. 1. Servants, Bailiffes, or other Accountants, that are found in arrearages, by Auditors assigned by their Masters, upon the testimony of the same Auditors, shall be committed to the next Gaole, and there remain in iron under safe custody at their own costs, untill they shall have satisfied their Masters.

III. Here, if the Accountant finde himselfe grieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriffe shall give notice to his Master to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them assigned, shall rehearse the Account, and do justice therein: But if then also the Accountant shall be found in arreare, he shall be committed to the Fleet.

IV. If he fly, or will not account, a *Distringas* shall issue out against him, to cause him to appear before the Justices to account, and upon appearance, Auditors shall be assigned him, by whom if he be found in arrear, and not able to pay, he shall be committed to the Gaole, as aforesaid. But if he fly, and the Sheriffe return thereupon *non est inventus*, after *Exigent*, he shall be outlawed, and then being taken, he shall not be replevisable without the Masters consent, in pain that the Sheriffe, Gaolor, or, &c. who doth so bail him (being thereupon convict) shall answer the Master his damages; and if an inferior Officer who so doth be not responsible, *Respondere Superior*.

V. Stat.

Accusation.

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V. **Stat. 6. H. 4. 3.** Immediately after Sheriffes, Escheators, Aulnegers, Customers, Controlers, and other the Kings Officers, shall have accounted in the Exchequer, Commissions shall be sent down to enquire of their accounts, and if fraud shall be found therein, they shall incur the penalty of treble damages to the King, and shall suffer imprisonment, not to be enlarged untill they have made Fine at the discretion of the Judges.

VI. **Stat. 1 R. 3. 14.** Accountants for dismes (granted by the Clergie of the Provinces of *Canterbury* or *York*) are not chargeable to answer other mens suits in the Exchequer (by reason of their appearance there to account) save only for such things as concern their account: Howbeit, they may be sued in any other Court, notwithstanding such priviledge of being Accountants.

Accusation.

I. **Magna Carta. 29. 9. H. 3.** No Free man shall be taken, Imprisoned, disseised, outlawed, exiled, or otherwayes destroyed or condemned, without triall by his peers or the Law: Justice or right shall not be sold, denyed, or referred to any.

II. **Stat. 5. E. 3. 9.** None shall be attached upon any accusation, nor fore-judged of life or limb, nor his Lands or Tenements, goods or Chattels seised into the Kings hands, against the form of the Great Charter, and the Law of the Land.

III. **Stat. 25. E. 3. 4. Stat. 5.** None shall be apprehended upon petition or suggestion made to the King or his Council, unless by indictment or presentment of lawfull men, or by processe at the common Law.

IV. None shall be outed of his Franchises or Freehold, but by way of Law, and if any thing be done against the same, it shall be redressed, and holden for none.

V. **Stat. 28. E. 3. 3.** None shall be put from his Land or Tenement, Imprisoned, Disherited, or put to death, without being brought in to answer by due processe of Law.

VI. **Stat. 37. E. 3. 18.** Promotors of suggestions to the King shall finde surety before the Chancellor, Treasurer, and the Kings Great Councell, to pursue their suggestions, and to incur the pain which the accused should suffer, in case the suggestion hold not: And then processe shall issue out against the accused, without being taken or imprisoned against the form of the Great Charter.

VII. **Stat. 38. E. 3. 9.** If the promotor of a suggestion cannot make it good, he shall be imprisoned, untill he satisfie the party
B 2
grieved

Actions popular.

grieved his Damages, and shall also make fine to the King.

VIII. The clause of the 37. E. 3. 18. for incurring the like pain, shall be taken away.

IX. Stat. 42. E. 3. 3. None shall be put to answer an accusation to the King without presentment or some matter of Record, and what is done otherwise shall be void, and holden for error.

X. Stat. 17. R. 2. 6. Upon an untrue suggestion made against any in the Chancery the Chancelour may award damages.

XI. Stat. 15. H. 6. 4. None shall sue forth a *Subpœna*, until he finde surety to satisfie the Defendant his damages and costs, in case he do not verifie his Bill.

Actions popular.

I. Stat. 4. H. 8. 20. Recovery in an action popular by covin shall be no bar in an action sued for the same thing *bona fide*:

II. Here the defendant attainted of Collusion shall suffer two years imprisonment to be prosecuted within one year.

III. No release of a common Person shall in this case discharge an action popular.

IV. Yet no collusion is in this case averrable, where the point of the same action, or the collusion it selfe hath been tried by verdict.

V. Stat. 31. El. 5. Informers heretofore restrained by order of any Court, shall not pursue actions popular.

VI. In popular actions the offence shall be laid to be done in the County, where indeed it was done; otherwise, if the defendant traverse and disprove that point, the Plaintiff shall be barred.

VII. This Act doth not restrain Officers, which have lawfully used to exhibit informations, nor actions brought for champerty, buying of titles, extortion, offences against the statute of 1. El. 11. (concerning the right landing of Merchandize & custom of sweet wines concealing of Customs, &c. Corrupt Usury, Forestalling, Regrating, or ingrossing, when the penalty shall amount to 20 li. or above: For in all these cases the offence may be laid in any County.

VIII. Popular actions, where the King only hath the forfeiture shall be commenced within two year, where he hath only a part, and the Informer the rest, within one year: but this is to be understood where a shorter time is not limited by any Statute.

IX. All suits for using unlawfull Games, or any Art or Mystery without being brought up in it, and for not having Bowes and Arrows according to the Statute, shall be prosecuted at the Assizes, Sessions of the County, or at the Leet within which the offence was committed, and not elsewhere.

X. Stat.

Admeasurement of Dower.

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X. Stat. 21. Ja. 4. Actions popular which may be presented before Justices of Assise, *Nisi prius*, G. D. Oyer and Terminer, or of P. shall be prosecuted only in the Counties where the Offences were committed, except for Recusancie, Maintenance, Champertie, buying of Titles, concealing of Customs, &c. or transporting of Gold, Silver, Munition, Wool, Woolfels, or Leather.

XI. Upon default of proving that the offence was committed in the same County, the defendant shall be found not guilty.

XII. The Informer shall make oath that the offence was committed in the same County where the action is laid, and within one year before the suit commenced.

XIII. The defendant in a popular Action may plead the general issue, and yet give special matter in evidence.

Addition.

I. Stat. 1. H. 5. 5. In Original Writs where *Exigent* shall be awarded, Additions of the Defendants condition and dwelling shall be inserted.

II. Outlawries otherwise prosecuted shall be void.

III. Surplusage of Additions shall not prejudice, albeit the Writ do therein varie from the Records and Deeds.

IV. The Clerks of the Chancery shall not omit such Additions, in pain to be fined at the discretion of the Chancellor.

Adjournment.

I. Stat. 2. E. 3. 11. The Common Bench shall not be removed without warning by Adjournment.

Admeasurement of Dower.

I. Stat. 12. Ed. 2. Cap. 7. 13. E. 1. A Guardian shall have a Writ of Admeasurement of Dower, yet the heire (at full age) shall not be barred by that suit, in case it be prosecuted by Collusion.

II. When it comes to the great distresse, daies shall be given, within which two Counties may be holden, where Proclamation shall be made, for the defendant to come in at the day contained in the Writ, at which if the defendant appear, the plea shall proceed; but if not, upon the Proclamation returned by the Sheriffe, and the defendants default, Admeasurement shall be made.

Admeasurement of Pasture.

I. *21. E. 2. Cap. 8. 13. E. 1.* Upon a second overcharge of Pasture, if the Pasture were admeasured before the Justices, the remedy shall be by Writ Judiciall, returnable before the Justices under the Seals of the Sheriffe and Jurors: and then the Justices shall award damages to the plaintiffe, and shall estreat into the Exchequer the value of the Beasts (wherewith the pasture was so overcharged) to be answered to the King.

II. If the Admeasurement were made in the County, the Sheriffe by a Chancery-Writ shall enquire of the Surcharge, and value of the Beasts, and shall answer the same to the King in the Exchequer.

III. To prevent fraud in the Sheriffe, All such Writs *de secunda superoneratione*, shall be enrolled, and also at the years end transcribed into the Exchequer, and so likewise shall Writs of *Redisseisin*.

Administrators.

I. *Stat. 31. E. 3. 11.* The Ordinaries shall depute the next and most lawfull friends of the Intestate to administer his goods, which deputies shall have the benefit, and incur the charge of an Executor, and shall also be accountable to the Ordinaries as Executors.

Admiralty.

I. *Stat. 13. R. 2. 5.* The Admirals or their Deputies, shall not meddle with any thing done within the Realm, but only upon the Sea.

II. *Stat. 15. R. 2. 3.* The Admirals Court shall not have Cognisance of any thing done within the bodies of Counties, as well by land as by water, nor with wrecks of the Sea.

III. Of the death of a man, and of a Maihem, done in great ships hovering in the main stream of great Rivers (beneath the bridges neer the Sea) the Admirall shall have Cognisance, and likewise to arrest ships in great Fleets for the great Voyages of the King and Kingdom; and shall also have jurisdiction in such Fleets during such Voyages: Saving to the King his forfeitures, and to Lords, Cities, and Boroughs, their liberties and Franchises.

IV. *Stat. 2. H. 4. 11.* The Statute of 13. R. 2. 5. is confirmed.

V. The party grieved by the *non*-observance of that Statute, shall (by action upon his Case) recover double damages against the
Pro-

Prosecutor in the Admiralty; and the Prosecutor shall also forfeit ten poundsto the King, being thereof attainted.

VI. Stat. 8. El. 5. A sentence definitive in a civill and Marine cause by delegates appointed by Commission (upon an appeal duly made in the Chancery) shall be finall.

Advowson.

I. Stat. 2 Cap. 5. 13. E. 1. Usurpation of Churches during wardship, Particular estates, Coverture, or Vacancie, shall not bar the heire at full age, the reversioner or remainder in possession, the feme discovert, or the spirituall person in succession, from having the Writ of Advowson possessory, viz. *Quare impedit*, or an Assise of *Darrein presentment*, as their Ancestor or predecessor might have had, if the Usurpation had hapned in their time, whereas before this Act they were (in such cases) put to their Writ of right of Advowson.

II. Howbeit, this Act shall not extend to annull judgements already given, but they shall be reversed by Error or Attaint.

III. One and the same form of pleading shall be used in *Darrein presentment*, and *Quare impedit*, viz. if the defendant alleadgeth plenarty of his own presentation, the plea shall not stay, by reason of the plenarty, so as the Writ be purchased within the six moneths, albeit he cannot recover within that time.

IV. Where partition is made upon record, or by fine to present by turn, the Copercener that is disturbed shall not be put to a *Quare impedit*, but may have remedy upon the Roll or fine by *Scire facias*.

V. When six moneths passe hanging a *Quare Impedit* or *Darrein presentment*, so that the Bishop presents by Lap, the Patron shall recover damages to two years value of the Church, otherwise damages only to half a years value.

VI. The disturber not being able to render damages, shall in the first case have Imprisonment of two years, and in the other of halfe a year.

VII. Writs also shal hereafter be granted for Chappels, Prebends, Vicarages, Hospitals, Abbeyes, Priories, and other houses, which be of the Advowsons of other men.

VIII. When the Parson of a Church is disturbed to demand Tithes in the next Parish by *Indicavit*, the Patron shall have a Writ to demand the Advowson of those Tithes, and when it is de-raigned, then shall the Plea passe in the Court Christian.

I X. Amongst Coperceners if one present twice together, yet shall not the other be barred, but have his or her turn when it falleth.

X. Hiero. Reg. Cap. 8. 17. E. 2. Laps of six moneths shall not prejudice the Kings Presentation to a Church.

X I. Stat. de Clero, cap. 3. 25. E. 3. When the King Collates to a Church in anothers right, his title shall be well examined, and the Patron grieved, shall have as many Writs thereupon as shall be needful.

X I I. Stat. de Clero, cap. 7. 25. E. 3. When the Ordinary presents by Laps, and the King takes the suit against the Patron, who in deceit suffers the King to recover; in this case, when the Kings right is not tried, the Ordinary or Incumbent may counterplead the Kings title.

Age.

I. West. 1. cap. 46. 3. E. 1. If a Writ of *Novel disseisin* be purchased, and the Disseisor die before the Assise be passed, the Plaintiff shall have a Writ of Entry *sur disseisin* against his heir: The like Writ shall the heir of the disseisee have, in case he die, &c.

I I. And here nonage of the heir of the disseisor or disseisee, shall not prejudice in Assise.

I I I. If the inquest pass against the heir of the disseisee, he shall have an Attaint *gratis*.

I V. Stat. of Gloucester, cap. 2. 6. E. 1. where an Infant is held from his Inheritance, whereby he is driven to his Writ, the Enquest shall passe notwithstanding his Nonage.

V. An Exposition of the Statute of Gloucester, cap. 2. 6. E. 1. Touching an Enquest to be made for an Infant, that Statute shall run without limitation of time.

V I. Stat. West. 2. cap. 40. 13. E. 1. The suit of a woman or her heir after the death of her husband shall not be delayed by the Minority of the heir, who ought to warrant the Land.

Aid of the King.

I. Stat. de Bigamis, cap. 1. 4. E. 1. where a feoffment with a Charter thereupon being made by the King, hath so much in it, that another person by a like feoffment and like deed should be bound to warranty, the heir shall have Aid, and the Justices shall not proceed without the Kings Commandement.

I I. Ibidem. Cap. 2. But where the King only confirmeth or ratifieth anothers act in another mans thing, or granteth any thing

Alehouses, Drunkenesse.

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to a man as much as in him is, or where a Deed is shewed, whereby the King hath rendred any Tenement, and no clause of warranty is contained therein: In these and like cases (the same being shewed to the King) the Justices may proceed, and the Tenant shall not have aid.

II I. *Ibidem*, cap. 3. In Dower, the Kings Grantee of a Ward shall not have Aid, but the Justices may proceed according to right.

I V. *Stat. 14. E. 3. 14. Stat. 1.* Upon demand of Lands in the Kings hands, after four Writs of search directed to the Treasurer, and Chamberlains of the Exchequer, for finding the Kings Minuments, he that defends the lands for the King shall be put to answer, so that the said Writs were delivered 40 dayes before their return; and then Justice shall not be delayed, albeit the contrary be commanded under the Great or Privie Seal.

Alehouses, Drunkenesse

I. *Stat. 5. & 6. E. 6. 25.* None shall keep Alehouse without License granted either in Sess. or by two Justices, (1 *Quo.*) in pain of three dayes imprisonment without bail, and not to be enlarged without Recognisance by himselfe and two sureties, that he shall not keep Alehouse any longer; the certificate of which Recognisance and offence shall be a sufficient conviction at the *Qu. Sess.* to fine him 20 *sh.*

II. The *Qu. Sess.* or two such Justices have power to put down Alehouses at their discretion, and to take Bond and surety of Alehouse-keepers by recognisance, that they shall not use unlawfull Games or other disorder in their houses, for which Recognisance the parties bound shall pay 12 pence, and whereof Certificate shall be made at the next *Qu. Sess.* by the two Justices that take it, in pain of 5 Marks.

III. Just. of P. have power to enquire after the breach of this last Recognisance, to award processe thereupon, and to hear and determine the same at their discretions.

IV. This Act shall not restrain the selling of Ale and Beer in Towns where Faires are kept, during the time of the Fair.

V. *Stat. 1. Jac. 9.* No Inkeeper, Victualler, or Alehousekeeper, shall suffer any Town-dwellers to sit ripling in his house, in pain of 10 shillings, nor sell lesse then a full Ale-Quart of the best Ale or Beere, or two Quarts of the small for one peny, in pain of 20 shillings: And here, the view of one Justice, or proof by two witnesses

nesses upon oath, before one Justice, is sufficient conviction.

V I. The penalties aforesaid are given to the poore of the Parish, where the offence is committed, and are to be levied by the Constable and Church-warden by distress, which after six dayes may be sold to satisfy the penalty: and in default of distress the party delinquent must suffer Imprisonment, till he pay the penalty.

V II. Here every Officer that neglects to levie the said penalties, or to rectifie (within 20 dayes) the default of distress, shall forfeit, likewise to the poor 40 shillings, to be levied (upon Warrants from one Justice) by distress and sale as aforesaid, and upon default of distress shall incur commitment as aforesaid.

V III. The Officers or other parties receiving these penalties shall be accountable to the succeeding Officers and other paritioners.

I X. Stat. 4. Jac. 4. None shall sell Ale or Beer to an unlicensed Alehousekeeper, save only for the expence of his household, in pain of 6. sh. 8. d. for every Barrel, and so more or lesse according to that proportion.

X. This offence shall be prosecuted in the Quarter Sessions, and the forfeiture shall be equally divided between the prosecutor and the poor of the Parish.

X I. The Officer that shall levie the poors moiety, shall deliver it to the Church-wardens, and Overseers of the Parish, or one of them, and they shall in convenient time make distribution thereof to the poor, in pain that both the Officer and they shall forfeit respectively double the value of that moiety, to be recovered and employed, as aforesaid.

X II. Stat. 4. Jac. 5. One convicted of drunkenness in Court, or before a Judge or Justices in their severall limits, shall forfeit 5. sh. to the poor, to be levied and employed as the penalties of 1. Jac. 9. and in case he be not able to pay it, shall remain in the stocks six houres.

X III. Here the Officer that neglects to levie the said penalty, shall forfeit ten shillings to be levied and employed as aforesaid.

X I V. A Town-dweller which is convict to sit tipling in any Inn, Victualling house, or Alehouse, by the view of one Justice, or the proof of two witnesses, shall forfeit ten groats, to be levied and employed as aforesaid, and being not found able to pay it, shall remain in the stocks four houres.

X V. These offences, as also those mentioned in 1 Jac. 9. shall be enquired of, heard and determined, at the Ass. Qu. Sess. in corporate Towns and in Lects.

X V I. One

Alhouses, Drunkenness.

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XVI. One convicted the second time of drunkenness, shall be bound in ten pounds with two sureties to the good behaviour.

XVII. All Constables, Churchwardens, Headboroughs, Tithingmen, Alecunners, and Sidemen, shall be charged on their Oaths to present the said offences.

XVIII. This act shall not restrain Ecclesiasticall jurisdiction, nor the two Vniversities.

XIX. None shall be twice punished for one offence.

XX. The offenders against this Act shall be prosecuted within six moneths.

XXI. Stat. 7. Jac. 10. An Alehouse-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1. Iac. 9. or 4. Iac. 5. shall be disabled to keepe Alehouse within three years after.

XXII. Stat. 11. Iac. 7. One witnesse, or the parties own confession shall be sufficient to prove the breach of 1. Iac. 9. and 4. Iac. 5. and the Oath of the party confessing shall be sufficient to convince any other.

XXIII. The like view, proof, or confession shall convince a drunkard, as well for the penalty of 5 shillings, as for the binding of him to the good behaviour, according to 4 Iac. 5.

XXIV. An Alehouse-keeper offending against 1. Iac. 9. or 4. Iac. 5. according to the alterations of this Act, is disabled to keep Alehouse within three years after.

XXV. All Constables, Churchwardens, Headboroughs, Tithingmen, Ale-cunners and Sidemen, shall be charged on their Oaths to present the offences committed against 1. Iac. 9. and 4. Iac. 5. according to the alterations of this Act.

XXVI. Stat. 1. Car. 4. The Inn-keeper, Alehouse-keeper, or Victualler, which suffers any person whatsoever to sit tipling in his house, shall incur the penalty of 1. Iac. 9. to be proved, levied, and employed, as in that Statute is appointed.

XXVII. Vintners, which do also keep Inns, or Victualling houses, shall be taken to be within this Act, as also within the Statute of 1. Iac. 9. and 4. Iac. 4.

XXVIII. Stat. 3. Car. 3. None shall keepe Alehouse without license, in pain to forfeit 20 shillings to the poor, which the Constable and Churchward. (upon warrant from the Justice before whom the offence is proved) shall levie by distresse, which (within three dayes) may be sold to satisfie the penalty: and in case the delinquent hath not wherewithall, the said Justice shall commit him to the Constable, to be openly whipped: And here the view of one Justice,

justice, the confession of the party, or proof by two witnesses, is sufficient conviction.

XXXIX. Here the Officer that neglects to execute the Warrant or to punish the offender, shall suffer imprisonment without bail, or pay 40 shillings to be employed as aforesaid.

XXX. In this case, if the Alehouse-keeper offend the second time, he shall be committed to the House of Correction, for one month, and for the third offense, shall not be thence enlarged, but by order of Sessions.

XXXI. The offender once punished by this Act, shall not be again punished by 5. & 6. E. 6. 25. & *contrá*.

XXXII. This Act shall not restrain the selling of Ale and Beer in Fairs.

Alienation without License.

I. Prærogat. Regis. Cap. 7. 17. E. 2. None Note, that clause is holding of the King in chief by Knight service, may (without his license) alien so much of his Land, that the residue will not suffice to do his service: but this is not meant of little parcels thereof. *in Rast. fol. 7. c. But I finde it not in the Statutes at large, nor in Stanford.*

II. When Serjeanties are aliened without the Kings license, the King hath used to rate them at a reasonable extent.

III. Stat. 1. Car. 3. All licenses of Alienations (other then upon raising of uses by force of any deed from or out of the estate of the Covenantor) shall be generall to alien without expressing any uses.

IV. The Officer that takes above 26 sh. 8 d. for drawing, pleading, entering, finishing and discharging a license or pardon of Alienation, shall forfeit to the party grieved, for every peny so taken, 5 shil. to be recovered by information or action of debt, and shall be for ever after disabled to bear office in any Court of Justice.

Aliens.

I. Stat. 31. H. 6. 4. If any stranger (being in league, or having the Kings safe conduct) be attached in his person, or robbed of his ship or goods, by any of the Kings subjects at Sea, or in any Port within the Kings Dominions, the Chancellor (upon a Bill of complaint) calling to him any of the Justices of either Bench, shall have power to enlarge the person so attached, and to make delivery and

and restitution of the ship or goods, or the value thereof, and also of all costs, expences and losses sustained in that behalf.

I I. Stat. 1. R. 3. 9. An Alien Artificer (not made Denizen) shall not remain nor exercise any Handicraft in *England*, unlesse as a servant to a subject, skilfull in the same art, in pain to forfeit all his goods.

I I I. No such Alien shall here in *England* make any Cloth, or put any Wool to work, in pain to forfeit the cloth so made.

I V. Such an Alien shall here in *England* sell his wares in gross, and not by retail, in pain to forfeit the value of the wares otherwise sold: and being an Handicraftsman, and inhabiting a great house, or chamber, shall not take any apprentice or servant to work with him, unlesse it be his son or daughter, or else a subject born, in pain to forfeit for every Apprentice or servant otherwise taken, 20 *li*.

V. The forfeitures of this Act are to be divided between the King and the prosecutor.

V I. Stat. 14. H. 8. 2. No Stranger Artificer (Denizen or not Denizen) shall take any Apprentice but such as is born under the Kings obeisance, in pain to forfeit 10 *li*. for every Apprentice otherwise taken, to be divided betwixt the King and the prosecutor.

No Alien shall keepe above two Journey-men, except they be born under the Kings obeisance, upon the like pain, to be divided as aforesaid.

V I I. All Strangers (Denizens or not Denizens) dwelling within two miles of *London*, shall be under the reformation of the Wardens of Handicrafts within that City, and of one substantial Stranger, being an householder of the same Craft, to be chosen by the same Wardens.

V I I I. The said Wardens and that one Stranger shall assigne a proper mark for Strangers Wares, without taking any thing for the same.

I X. The said Wardens and Stranger shall have power to search, view, and reform the wares of Aliens made within the said precinct.

X. Smiths, Joyners and Coopers (being Aliens) shall put such marks to their wares, before they sell or use them, as the said Wardens shall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided betwixt the King and the prosecutor.

X I. If upon such search the Wardens and stranger shall finde any wares to be deceitfully made, they shall be forfeit, viz. the one halfe to the King, and the other halfe to the finder, and shall be recovered by action of Detinue.

X I I. Warden

XII. Wardens and Masters of Fellowships of Handicrafts in other Corporations, and Bailiffes and other head-Officers in Towns lacking Wardens, have like power to reform Strangers, and Strangers are bound to yield obedience unto them, upon like pains, as aforesaid.

XIII. Here if a Stranger be wronged, upon complaint to the Chancellor and Treasurer of *England*, or to the Justices of Assise, he shall have redresse.

XIV. This Act shall not extend to Strangers dwelling in *Oxford*, *Cambridge*, or *St. Martines le Grand, London*.

XV. If the wardens with a Stranger, or the Officers, of Corporations, or other Towns, refuse to mark a Stranger wares, being required so to do, in such case it shall be lawfull for such Stranger to sell his wares, this Act notwithstanding.

XVI. This Act shall only extend to Joyners, Pouch-makers, Coopers and Blacksmiths, and to no other Crafts.

XVII. Any of the Kings subjects having Lands worth 100 *li. per annum*, may retain any Stranger, that is a Joyner or Glasier, to work for him, this Act notwithstanding.

XVIII. Stat. 21. H. 8. 16. A Decree made in the Star-Chamber the 20 of February, 20. H. 8. concerning Artificers Strangers, was confirmed. The substance of which Decree hereafter followeth:

XIX. A Stranger Artificer shall not keep in his house at one time above two Strangers servants: howbeit, a subject Artificer may retain as many Strangers as he pleaseth, to be his servants or Apprentices.

XX. Strangers Artificers may take as many English men to be their servants or Apprentices as they can get.

XXI. Strangers Artificers shall be contributory with English Artificers; and in case they refuse, they shall not only lose the benefit of this Decree, but likewise be prohibited to exercise their Craft, in pain of incurring the forfeiture of the abovesaid Statute.

XXII. Strangers Artificers shall (upon lawfull warning) go with the Wardens and other Governours of the same Company to make search; which if they refuse, and that proved before the Chancellor of *England* or Major of *London*, or (in other places) before the chief Officers, they shall no longer exercise their profession in *England*, in pain of the forfeitures aforesaid.

XXIII. Strangers Artificers shall (upon lawfull notice) make Oath to be true to the King, and obedient to his Laws, and to make due search with others, and not to discover to any before-hand the intention of search: and being sworn, shall pay for their Commission, as the subjects of *England* do.

XXIV. No

XXIV. No Strangers but Denizens shall keep house or shop in pain of incurring the penalties of the aforesaid Statutes.

XXV. Strangers shall not assemble but in the Common Halls of their Mysteries, upon the penalties aforesaid.

XXVI. This Decree and Act (for so much as concerns Cordwainers) shall extend as well to such as work old stuff, as those that work new.

XXVII. This Decree and Act shall not extend to Strangers (Denizens or not Denizens) dwelling in *Oxford, Cambridge, or St. Martins le Grand, London.*

XXVIII. Stat. 22. H. 8. 8. Aliens born made Denizens, shall pay all such customes and other duties, as they did before they were made Denizens.

XXIX. A Table of Customes, Toles and Duties, shall be set up in every City, Borough, and Town, in pain that every City not doing the same shall forfeit 5 li. and every Town Corporate 40 sh. for every moneth the same shall fail to be set up, at *Pentecost* next, to be divided betwixt the King and the prosecutor.

XXX. This Act shall not prejudice the Merchants of the *Stil-yard, London.*

XXXI. Provided that the Tables of Scavage to be set up in *London*, shall be approved by the Chancellor and Treasurer of *England*, the President of the Kings Council, the Lord privy Seal, the Lord Steward of the Kings house, and the two chief Justices, or four of them, and shall be by them subscribed.

XXXII. Stat. 22. H. 8. 13. No Stranger being a common Baker, Brewer, Surgeon, or Scrivener, shall be accounted a Handicrafts-man, within the penal Statutes made against Strangers Artificers.

XXXIII. Stat. 32. H. 8. 16. All Strangers, (made Denizens) shall be obedient to the Statutes of 1. R. 3. 9. 14. H. 8. 2. & 21. H. 8. 16. And in all Letters Patentes of Denization hereafter to be made a proviso for that purpose shall be inserted, save only when the King shall please to grant special liberties, and then those liberties shall be plainly exprest both in Bill signed by his Majesty, and also in the Letters Patents.

XXXIV. No Alien Artificer (Denizen and not Denizen) in *Oxford, Cambridge, or St. Martines le Grand, London*, shall keep above two Strangers servants at one time, in pain to incur the penalty of 14. H. 8. 2.

XXXV. Every Alien (not Denizen) within the Kings Dominions shall be bound to observe the Laws of this Kingdom.

XXXVI. No

XXXVI. No Subject or stranger (using no handicraft) shall retain above four servants strangers, in pain to forfeit for every servant kept above that number 10 *li*.

XXXVII. The abovesaid forfeitures shall be divided betwixt the King and the prosecutor.

XXXVIII. This Act shall not be prejudiciall to a Proclamation published by the King concerning the payment of Customes for strangers to endure for certain years.

XXXIX. Lords of the Parliament may keep six strangers born at one time.

XL. No stranger (except Denizens) shall take a Lease of any house or shop, in pain to forfeit 5 *li*. and none shall let them such Leases upon the like pain, both of them to be divided betwixt the King and the prosecutor.

Amendments.

I. Stat. 14. E. 3. 6. Stat. 1. A processe which is defective by Misprision of a Clerk, in one syllable or letter too much or too little, shall be amended without giving advantage to the party challenging the same.

II. Stat. 9. H. 5. 4. The Justices before whom such default shall be found in any Record or Process, may amend the same, as well after Judgement as before, so long as such Record or Processe shall continue before them.

III. Stat. 4. H. 6. 3. The Statute of 9. H. 5. 4. is made perpetual, provided, it shall not extend to Records or Processe in *wiles*, or whereby any person is outlawed.

IV. Stat. 8. H. 6. 12. No Judgment or Record shall be reversed or annulled for Errour assigned by reason of the raising or interlining of any Record, Processe, Warrant, Writ, Pannel, or Return, or of any Addition, Subtraction, or diminution of Words, Letters, Titles, or parcell of Letters found in the same.

V. The Judges may reform all defects in any Record, Process, Word, Plea, Warrant, Writ, Pannel, or return, (except Appeals, Indictments of Treason or Felonie, and the outlaries of the same, and the substance of the proper names, surnames, and additions left out in original VVrits, Exigents, and in other VVrits of Proclamation, contrary to the Statute of 1. H. 5. 5. *which see in Addition*) so that by such misprision of the Clerk no Judgement shall be reversed or annulled.

VI. Variance alleadged between a Record and the Certificate thereof shall be amended by the Judges.

VII. Im.

VII. Imbezilling of a Record is felony.

VIII. If a record, proccesse, writ, warrant, pannel, return, or any parcel thereof be exemplified under the Great Seal, and inrolled; For any error assigned in the said Record, &c. in any letter, word, clause or matter varying or contrary to the exemplification and inrolment, there shall be no judgement reversed or annulled.

IX. Stat. 8. H. 6. 15. The Justices may amend the mis-prision and defaults of Clerks of the Court, or of Sheriffes their Clerks, and of all other Officers whatsoever, found before them in any record, or proccesse, or the return of the same, by reason of writing one letter or one syllable too much or too little; except in records and precesses within Wales, and off felonies and treasons, and the dependants of the same.

Amerciaments.

I. *Magna Carta*, cap. 14. 9. H. 3. A Free-man shall not be amerced for a small fault, but according to the manner thereof, and for a great offence according to the quantity thereof, saving to him his Contenement (or *Countenance*) and a Merchant saving his merchandize, and any Villein (except the Kings) shall be amerced, saving his wainage; And such amerciaments shall be assessed by lawful men of the Visinage. Peers also shall be amerced by Peers, according to their offence: Also Church-men shall be amerced according to their Lay-tenement, and the quantity of their offence, and not according to their Spiritual Benefice.

II. *Parlbz.* Cap. 18. 52. H. 3. No Escheator, Commissioner, or Justicer, assigned to take Assizes, or to hear or determine matters shall have power to amerce for default of common Summons, but the chief Justices, or the Justices in Eyre in their Circuits.

III. *West.* 2. cap. 6. No City, Borough, Town, or man shall be amerced without reasonable cause, and according to the trespassse, viz. every Free-man saving his Free-hold, a Merchant saving his merchandize, a Villein saving his Gainure, and that by his or their Peers.

Apparance.

I. Stat. 10. H. 6. 4. No Filiser, Exigenter, or other Officer whatsoever in any suit shall make entry, that the Plaintiffe *obtulit se in propria persona sua*, unless the Plaintiffe, before such entry made,

made, doth (indeed) appear in proper person before some of the Justices of the Place, where the plea depends, and (either by himself, or some other credible person of his Council) make oath, that he is the same person, in whose name that suit is prosecuted. This Act to continue to the next Parliament.

I I. Stat. 18. H. 6. 9. The Stat. of 10. H. 6. 4. is made perpetual.

I I I. No Officer contained in the Statute of 10 H. 6. 4. shall do to the contrary thereof, in pain to forfeit 40 s. to the King for every time that he shall be attainted thereof, by due examination of any of the Justices, before whom the Entry or Record is.

I V. Every Attorney, who hath not his warrant entred upon Record, in all suits, wherein processe of *Capias* and *Exigent* are awardable, the same term, in which the *Exigent* is awarded, or before, and is thereof attainted by like examination, for every time he so offendeth shall incur the pain aforesaid.

Appeals.

I. Magna Carta. cap. 34. 9. H. 3. No man shall be taken or imprisoned upon the appeal of a woman, for the death of any other then her husband.

I I. West. 1. c. 14. 3. E. 1. The Accessary in an Appeal shall not be outlawed before the principal be attainted: Howbeit, none shall intermit to commence their appeal at the next County as well against the accessary, as against the principall: but the *Exigent* against those shall remain, untill those be attainted by Outlawry or otherwise.

I I I. Stat. Glouc. c. 14. 9. E. 1. If the Appellor declare the deed, the year, the day, the houre, the time of the King, and the Town where the fact was done, and with what weapon, the appeal shall stand, and shall not be abated for default of fresh suit, so that he sue within a year and a day after the fact.

I V. West. 2. 12. 13. E. 1. Upon a false appeal by malice the Appellor shall suffer a years Imprisonment, make fine to the King, and recompence damages to the Appellant at the discretion of the Justices.

V. When the Appellor is not able to satisfie damages, and an Abettor (through malice) is also found by the same Inquest, such Abettor shall also be punished by Imprisonment, and restitution of damages, as before.

V I. Articuli Cleri, c. 10. 9. E. 2. Thieves and Appellors (when

(whensoever they will) may confesse their offences to Priests : but let the Confessors beware, that they inform them not erroneously.

VTI. Stat. of Appeals, 28. E. 1. When any are appealed by provors, the Sheriffe shall by the Kings writ under the testimony of the Justices, that delivered those provors, bring such appeales to the Gaoles, where the provors or Appealors are kept, to answer before the same Justices; And if the Appealees will be tried by the Countrey, the Sheriff shall also by a judicial writ from the same Justices cause an Inquest to appear.

VIII. The Sheriffe and others (in whose custody such Appealors are kept) shall receive such Appealees without contradiction.

IV. Stat. 1. H. 4. 14. All Appeals of things done within the Realm shall be tried by the lawes thereof; and of those done out of the Realm by the Constable and Marshal of *England* for the time being.

Appeals to Rome.

I. Stat. 24. H. 8. 12. All causes testamentary and of Matrimony, divorces, rights of tithes, oblations, and obventions shall be adjudged within the Kings Authority, and not elsewhere.

II. The Prelates of this Realme may execute all Sacraments, Sacramentals, Divine service, and all other things to the Kings subjects, which they ought to do notwithstanding any appeal to Rome, or any other foreign power whatsoever.

III. If any spiritual person for feare of any forreign power shall refuse so to do, he shall make fine and ransom at the Kings pleasure.

IV. Whosoever procureth from the See of Rome or any other forreign Court any appeales, Processe, sentences, &c. shall incur a *Pramunire*, provided by the Statute of 16. R. 2. 5. which see in *Provisors*, 8.

V. Appeales in cases Ecclesiasticall shall be sued from the Archdeacon or his officiall to the Bishop Diocesane, and when the cause is commenced before the Bishop Diocesane or his Commissary, within 15 dayes after sentence an appeal may be made from thence to the respective Archbishop of the Province, to be there definitively adjudged.

VI. When the cause is commenced before an Archdeacon of any Archbishop or his Commissary, the appeal may be made within 15 dayes after sentence to the Court of Arches or Audience of the same Archbishop, and from the Arches or Audience within 15 dayes after sentence there, to the Archbishop himselfe to be finally determined without any further Appeal.

C 3

VII. When

Appropriation.

VII. When the cause is commenced before the Arch-bishop himselfe, it shall be there determined without any farther appeal, saving to the Archbishop and Church of *Canterbury*, the due prerogative heretofore used.

VIII. When the cause or suit concerns the King, the partie grieved may (within 15 days after sentence) appeal from any of the said Courts, to the Prelates assembled (by the Kings writ) in the convocation being or next ensuing in the Province, where the suit was begun; and there it shall be finally determined.

IX. If any shall hereafter pursue any appeal contrary to this Act, or shall refuse to obey it, he shall incur a *Premunire*.

Apprentice.

I. Stat. 12. H. 7. 1. The makers of Worsteads, sayes, and stamins in Norfolke are enabled to take Apprentices, and any person may also put Apprentices unto them; so that they keep not above two Apprentices (at most) at one time.

Appropriations.

I. Stat. 15. R. 2. 6. In every licence made in Chancery of the Appropriation of any Church, this shall be contained, viz. that the *Diocesan* shall ordaine (according to the value of such Churches) a convenient summe to be yearely distributed out of the profits thereof to the poor of the Parish by the Appropriators and their successors for ever, and also that the Vicar shall be sufficiently endowed.

II. Stat. 4. H. 4. 12. The Statute of 15. R. 2. 6. shall be duely executed, and appropriations made since that Statute contrary thereunto shall be reformed before Easter, or else to be void, except *Haddenham* in the Isle of Ely.

III. All Vicarages annexed or appropriated since 1. R. 2. shall be void.

IV. In every Church so appropriate a secular person shall be ordained Vicar, canonically instituted and inducted in the same, and conveniently endowed (by the discretion of the Ordinary) to do divine service, informe the people, and keep hospitality there, (except *Haddenham* aforesaid) and no Religious shall be hereafter made Vicar in any Church so appropriate.

Approve-

Approvements.

I. *Merton. cap. 4. 20. H. 3.* Lords of Wastes or Commonable woods or Pastures may approve against their Tenants part thereof, so that they leave sufficient common besides, together with free egress and regress to enjoy the same : And the truth thereof shall be inquired by Assize, wherein damages shall be given to the Plaintiffe if he recover, and the disseisors shall be amerced.

II. *West. 2. cap. 46. 13. E. 1.* The Statute of *Merton* shall not onely binde the Lords Tenants, but neighbours also which claime common of Pasture as appertenant to their Tenements : but if any claim common by special feoffment or grant for a certain number of beasts, or otherwise, which is due to him of common right, he shall recover the same according to the form of such grant.

III. By occasion of a Windmill, Sheepcote, Deyrie, inlarging of a Court necessary, or Courtilage, none shall be grieved by Assize of *Novel disseisin*, for common of Pasture.

IV. If any (upon just title of approvement) do make a ditch or hedge for that purpose, which afterwards is thrown down by some, who cannot be discovered by verdict of the Assize or Jury ; And the Towns adjoyning will not indict such as are guilty of the fact ; in such case the said Townes shall be distrained to levie againe such ditch or hedge at their own costs, and shall also yield damages.

V. *Stat. 3. E. 6. 3.* The Statutes of *Merton cap. 4.* and *West. 2. cap. 46.* are confirmed.

VI. Upon Judgement for the Plaintiffe in an Assize upon any branch of the said Statutes of *Merton* or *West. 2.* the Court shall award treble damages.

VII. This Act shall not extend to houses heretofore built upon wastes or Commons, not having above 3 Acres of such waste or common ground belonging to them, nor to any Garden, Orchard, or pond there, not exceeding two Acres ; neither yet shall it cause any person to lose or forfeit any paine or damage for the same ; but such Houses and Grounds shall still stand and remain : howbeit the owners of such wastes or Commons may lay open so much thereof as shall exceed 3 Acres.

VIII. *Stat. 43. El. 11.* All Contracts or bargaines made of part of such wastes, Commons, or severall grounds (lying in or neere the same) as are subject to surrounding, between the Lords, Commoners or owners thereof on the one part, and the prainers on the other

ther part, shall be good in Law according to the manner and forme of such contracts or bargaines.

I X. Where the Queen, her heirs and successors hath an Interest in such Wastes or Commons, such contracts or bargains shall not binde them unlesse they be written in parchment, indented and certified into the Chancery, and the royal assent thereunto first obtained, and signified under the privy or great Seal, when the wastes or soiles are of the possessions of the Crown; but under the Seale of the Dutchie of *Lancaster*, and inrolled in that Court, when they are of that kinde.

X. This Act shall not impair or take away the Interest of such Lords, Commoners, or Owners in any part of the residue of the wastes or commons, not assigned to the said Drainers, or any Franchise, or liberty; but that the same may be lawfully used, as if this act, or such contract or bargain had not been made.

XI. This act shall not be prejudicial to Ports or Havens, neither shall it be put in execution within eight miles of *Yarmouth*, or six miles of *Lin.*

Armour, Arms.

I. Stat. 7. E. 1. It belongeth to the King to prohibit force of Armes, and all other force against the peace, and to punish offenders therein, according to the Law, and herein every subject is bound to be aiding.

II. Stat. 1. E. 3. Stat. 2. 5. None shall be charged to arme himselfe otherwise, then as was used in the time of the Kings progenitors; neither yet shall any be compelled to go out of his Shire, but when necessary requireth, and the sudden comming of strange enemies into the Realme; and then it shall be done as in times past for the defence of the Realme.

III. Stat. 2. E. 3. 3. None shall come with force and armes before the Kings Justices, or other his Ministers, nor go or ride armed in affray of peace, in pain to forfeit their Armour, and to suffer imprisonment at the Kings pleasure.

IV. Justices of P. and other Officers have power to put this Act in execution, and the Justices of Assize shall inquire of their default in that behalf.

V. Stat. 7. R. 2. 13. None shall ride in harness contrary to 2. E. 3. 3. in pain to forfeit the same

VI. Stat.

VI. Stat. 20. R. 2. 1. The Statutes of 2. E. 3. 3. and 7. R. 2. 13. shall be duly observed, upon the paines contained in the said Statute of 2. E. 3. 3. and besides to make fine to the King.

VII. Stat. 31. El. 4. To imbezil 20 s. worth of the Queen or her successours Ordnance, Munition or Victual provided for war, for lucre, or with purpose to hinder the service, is adjudged felonie, if prosecuted within the year.

VIII. This offence shall not cause corruption of blood, nor losse of Dower, onely the offender shall forfeit his lands, during his life.

IX. The defendant may produce witnesses for his discharge.

Arrests.

I. West. 1. cap. 34. 3. E. 1. None (except the Kings Ministers) shall within a liberty arrest any person passing through the same, and holding nothing thereof, for any contracts, covenants, or trespasses made or done out of such liberty, in pain to pay double damages to the party grieved, and a fine to the King.

II. Stat. 50. E. 3. 5. None shall arrest Clerks or other persons of holy Church doing divine service, in pain of grievous forfeiture, so that Collusion be not found in any such persons or Clerks.

III. Stat. 1. R. 2. 15. None shall arrest such persons or Clerks doing divine service, in pain of imprisonment, and to be ransomed at the Kings will.

Arrow-Heads.

I. Stat. 7. H. 4. 7. All heads for arrowes and quarrels shall be well boiled or brazed, and hardened at the points with steel; in pain to forfeit them, be imprisoned, and make fine at the Kings will.

II. Such Arrow-heads and quarrels shall be marked with the proper mark of the Maker.

III. Justices of P. have power to punish such as make defective Arrow-heads and quarrels.

Assault.

I. Stat. 5. H. 4. 6. If any assault the servant of a Knight or Burgesse of Parliament, Proclamation shall be made that he render himself into the Kings Bench within a quarter of a year, which if

he do not he shall be attainted of the fact, and pay double damages to the partie grieved to be taxed by the discretion of the Justices, or by inquest, if need be; and besides shall make fine, and ransome at the Kings will.

II. **Stat. 11. H. 6. 11.** The like provision is made against assaults made upon any member of either House of Parliament, or of any other Councill assembled by the Kings command; onely, if it be not Termet time, he shall then appeare the first day of the Terme following that quarter, and upon appearance shall be proceeded against, as before.

Assizes.

I. **Magna Carta, cap. 12. 9. H. 3.** Assizes of *novel disseisin* and *Mortdancer* shall be taken in their proper Shires in this manner: The King, (or in his absence out of the Realme) the Chief Justices shall once a year send the other Justices through every County to take together with the Knights of the Shires such Assizes in those Counties, and such things as cannot be there determined, shall be ended elsewhere in their Circuits: Also difficult matters shall be referred to the Justices of the Bench to be there determined.

II. **West. 1. Cap. 24. 3. 8. 1.** If any Escheator, Sheriff, or other bailiff of the King do by colour of his office without special warrant pertaining to his office disseise any man of his freehold, or any thing belonging thereunto, it shall be in the election of the disseisee, whether the King by office shall cause it to be amended upon complaint, or thar he will sue by writ of *Novel disseisin*, wherein if the disseisor be attainted, the disseisee shall recover double damages, and the disseisor shall also be grievously amerced to the King.

III. **West. 1. cap. 36. 3. E. 1.** If any be attainted of *disseisin*, done in the now Kings time with robbery of goods or otherwise, the disseisee by Assise of *Novel disseisin* shall recover his seisin and damages, and the disseisor (whether present or not) shall make fine, and if present shall be committed.

IV. **West. 1. cap. 48. 3. E. 1.** Assises of *Novel disseisin*, *Mortdancer*, and *Darreine presentment* shall be taken in *Advent*, *Septuagesima*, and *Lent*, aswel as inquests, and that at the special request of the King, made to the Bishops.

V. **West. 2. cap. 25. 13. E. 1.** For estovers of wood, profit to be taken in woods, corodie, delivery of corn, and other victuals, and necessities to be received yearly in a certain place, toll, tronage, passage, pontage, pawnage, and the like to be taken in places certain;

taine, keeping of Parks, Woods, Forrests, Chases, Warrens, Yares, and other Bailiwicks, and offices in fee, an Assise of *Novel disseisin* shall be, and in such cases the writ shall be (as in other cases) *de libero tenemento*.

VI. It shall also be for Common of Turfe-land, fishing and such like commons appendant to free-hold, or by speciall deed (as it heretofore held place for Common of pasture) provided the estate therein be (at least) for life.

VII. If any holding for yeares or in ward alien the fee, remedie shall be had by this writ, and both the feoffers and feoffees shall be had for disseisors, so that during the life of any of them the said writ shall hold place, and if they die, the remedie shall be by writ of *Entry*.

VIII. The giving of this writ in new cases shall not diminish the force thereof in those wherein it had force before; and remedy also shall be had thereby in case where one feedeth in the severall of another.

IX. In this suit if the defendant fail to make good the Exception, which he pleades, he shall be adjudged a Disseisor without taking the Assise, and shall give to the plaintiffe double damages both inquired and to be inquired; and besides shall suffer a yeeres Imprisonment.

X. If such an exception be alleadged by a Bailiffe, the taking of the Assise shall not be thereby delayed, nor yet the Judgment upon the restitution of the lands and damages: Howbeit if the Master of such Bailiffe afterwards offer to prove to the Court by matter of record that there was just exception whereby the plaintiff might have been barred, he shall have a *venire facias* to produce such record; and then, if the Justices see cause, the Plaintiff shall be warned to appeare at a certain day, and the defendant shall then have again his seisin and damages, and the Plaintiff shall be punished by imprisonment at the discretion of the Justices: in like manner also shall the Justices proceed, in case the defendants prooffe is by deeds or releases, and if the Plaintiffe purchased the Assise contrary to his own deed, he shall be punished, as aforesaid.

XI. The Sheriff shall not take an Oxe of the disseisee, but of the disseisor onely, and but one Oxe, though there be many disseisors named in the writ, and that Oxe shall not exceed 5. s. in value. *Note that 5. s. then hath now the value of 15. s.*

XII. *West. 2. 46. 13. E. 1.* Where Common of Pasture hath been usurped during Nonage, Coverture, tenancie in dower, by the courtesie, for life, yeares, or in taile, it hath been holden, that, if
Such

such possessor of common be deforced, he ought to have aⁿ action by writ of *Novel disseisin*; it must now be holden, that such as have entred within the time that an assise of *Mortdancer* hath laid, if they had no common before, shall not recover by writ of *Novel disseisin*, albeit they be deforced.

XII I. *Stat. de conjunct. feoffatis*, 34. E. 1. In an Assise of *Novel disseisin*, if jointenancie be pleaded by force of a deed, upon the Plantiffes averment against it, the Justices shall keep the deed untill the triall, and in the mean time shall by *scire facias* summon the absent jointenant to be present with the defendant at the said triall, and they shall there maintain the plea if they can: But if it shall then be proved by an Assise, that the Plea was maliciously alledged to delay the Plantiff, albeit the Assise doth passe for the Defendants, yet he who pleadeth that exception, shall suffer one whole years Imprisonment, and shall not be enlarged without grievous fine; And if it be found by Assise, that the Plaintiffe was disseised, he shall recover seisin and double Damages; and the triall shall go on, notwithstanding such plea, and albeit neither of the pretended Jointenants appear: howbeit Jointenancie shall not be pleaded by Bailiffs.

XIV. Also in Assises of *Mortdancer*, and *Juris utrum* the like course shall be taken, as in those of *Novel disseisin*.

XV. In other writs likewise, whereby Tenants are demanded; save that in them the damages are referred to the discretion of the Justices.

XVI. *Stat. Eborum*, 34. E. 2. 1. Tenants in Assise of *Novel disseisin* may make Attorneys, and may also plead by bailiffes, as in times past.

XVII. *Stat. 7. R. 2. 10.* An Assise of *Novel disseisin* for rent issuing out of Lands in divers Counties shall be taken in *Consilio Comitatus*, as is used for Common of Pasture in one County, appendant to tenements in another.

XVIII. *Stat. 1. H. 4. 8.* A speciall Assise is maintainable by the disseisee for such Lands, as are granted by the Kings Patent without title first found by inquest for the King, without suit to be made to the King in that behalfe; And if the Patentee pray in Aid of the King, a *Procedendo* shall be also granted without suit.

XIX. Here if the Assise passe for the disseisee, he shall recover treble damages against the Patentee.

XX. *Stat. 4. H. 4. 8.* If any make forcible entry into Lands by way of maintenance, the Chancellor of England shall grant a speciall assise without suing to the King, and if the disseisor shall be attainted thereof, he shall suffer one whole years Imprisonment, and restore

restore double damages to the partie grieved.

XXI. Stat. 6. H. 6. 2. The Pannels of Assises shall be arrayed, and an Intended Copie thereof delivered by the Sheriffe to the plaintiffs, tenants, and defendants, six dayes before the Session, if they demand the same, also Bailiffes of Franchises shall make their returns thereof to the Sheriffe at the like time; upon pain to forfeite each of them Sheriffe or Bayliffe, 40. l.

XXII. Stat. 11. H. 6. 2. In an Assise, if the Sheriffe be named a disseisor by Collusion, to the end the writ may be directed to the Coroner, and the Assise secretly awarded by the tenants default, upon the Plaintiffs averment thereof, and if it shall also be found by the Assise to be so, the Justices shall abate the writ, and grievously amerce the Plaintiffe.

XXIII. Stat. 21. H. 8. 3. The Plaintiffe in Assise may abridge his Plaint of any part, whereunto a barre is pleaded, without prejudice to the residue.

Attaint.

I. West. 1. Cap. 37. 3. E. 1. An Attaint is granted in Plea of Land, Freehold, or any thing touching Freehold.

II. Stat. de Attinctis. 13. E. 2. In Attaint, if the first Jurors, which shall be living appeare not at the first grand distresse; or be returned to have nothing, by their absence there shall be no delay made of the other Jury. See *Rast. Attaint*, 2.

III. Stat. 1. E. 3. 6. In a writ of Trespass an Attaint shall be granted by the Chancellor without speaking to the King, as well upon the principall as upon the damages.

IV. In all cases of Attaints the Justices shall not let to take the Attaints for the damages not paid.

V. Stat. 5. E. 3. 6. *Nisi prius* shall be granted in Attaints, but no effoine or protection; and five dayes by the yeare shall be given before the Justices of the Common Bench at least.

VI. Stat. 5. E. 3. 7. Writs of Attaint shall be granted as well in pleas of trespass moved without writ, as by writ before Justices of record, if the damages adjudged do exceed 40. s.

VII. Stat. 28. E. 3. 8. An Attaint shall be granted as well upon a bill of trespass, as upon a writ of trespass, without having regard to the quantity of the damages.

VIII. Stat. 34. E. 3. 7. An Attaint shall lie as well in plea reall as personall, and it shall be granted to the poor (who will affie that they have nothing whereof to make fine saving their countenance)

tenance) without fine, and to all others by easie fine.

IX. Stat. 9. R. 3. 3. He in the reversion shall have an Attaint, or writ of *Error*, upon a false verdict found, or an erroneous Judgment given against the particular tenant.

X. If the oath be found false or the Judgment erroneous, and the tenant still in life, he shall be restored to his possession and Issues, and the reversioner to the arrearages; but if he be dead, or be found of Covin with the demandant, the reversioner shall have all: yet the tenant may traverse the Covin by *scire facias* out of the Judgment, or writ of Attaint if he please.

XI. Stat. 13. R. 2. 18. Upon a false verdict given before the Major and Bailiffes of *Lincolne*, an Attaint shall be sued in the Kings Bench or common Pleas, and the Jury shall be of the Countie of *Lincolne*, returned by the Sheriffe of the said Countie.

XII. Stat. 3. H. 5. 5. By letters Patents of *H. 4.* the name of *Bailiffs* of the Citie of *Lincolne* being translated to *Sheriffs*, least it might be doubted which Sheriff ought to return the Jury in Attaint; the former Statute of *13. R. 2. 18.* is explained and confirmed.

XIII. Stat. 11. H. 6. 4. The Plaintiffe in Attaint shall recover against all the Jurors, Tenants, and Defendants, the Costs and Damages, which he shall sustaine (by delay or otherwise) in that suit.

XIV. Stat. 15. H. 6. 5. No Sheriffe, Bailiffe, or Coroner in writs of Attaint of Plea of Land, or of deeds concerning Lands of the yeerely value of *40. s.* or more, or of goods or chattels personal worth *40. s.* or more, shall impannell any but such as Inhabit within their Bailiwicks, and have freehold or Inheritance (not ancient Demesne, within the five Ports, or Cavelkind) worth *20 l. per annum.* and shall not return against them lesse issues then *40. s.* at the first writ of distresses. *10. s.* at the second, and double afterwards, in paine to forfeit *100. li.* to the King, and as much to the Plaintiffe: And none but persons of that worth shall be impannelled upon Attaints, if challenge thereof be made by the Plaintiffes.

XV. If any of the defendants plead a foreign plea and fail thereof, the Justices shall give Judgment against them, as if the Grand Jury upon the Articles of the writ had passed against them: Howbeit the rest of the defendants shall not be prejudiced thereby: Neither shall this Act extend to Cities or Boroughs.

XVI. If there shall not be in the Countie (under the degree of a Baron) enough of that worth, to fill the pannell, then shall the said Officers impannell and returne the most sufficient persons there under that worth, upon the like pain.

XVII. Stat.

XVII. Stat. 18. H. 6. 2. Owners of Inheritance or freehold Lands in Gavelkind of 20. *li. per annum*, may also be impannelled upon Attaints, notwithstanding the Statute of 15. H. 6. 5.

XVIII. Stat. 11. H. 7. 21 None shall be impannelled upon a Jury in *London* except he have Lands, and tenements, or goods and Chattels worth 40. marks: and if the Triall be for Lands, or debt or damages amounting to 40. marks or above, his real, or personall estate shall be worth 100. markes: And the Jurors defect herein is a principall Challenge.

XIX. The Issues of the Jurors for default of appearing shall be at the first summons, 12. *d.* at the second. 2. *s.* and double afterwards; and the Issues lost in the Majors Court shall accrue to the Major and Commonalty, and those lost in the Sheriffs Court, to the Sheriffes.

XX. An attaint may be sued by Bill in the Hustings of *London*, upon any false verdict given in any of the Courts of that City: And thereupon the Major shall award a precept to every Alderman to present (either by themselves or their Deputies) unto the said Major at the next Hustings the names of four indifferent & discreet Citizens out of each of their wards, each of them being worth in estate 100 pounds at least; out of which the Major and six Aldermen or more shall impannel 48, whom the Major shall cause to be summoned together with the Tenants or defendants in the Attaint to appear at the next Hustings: and if upon default of appearance or otherwise there shall need a *Tales*, the Pannel shall be supplied out of the rest presented, or by other such Citizens, at the discretion of the said Major and six Aldermen.

XXI. Pleas of Attaints commenced in *London* shall be tried there by Inquests of the same Citie, and not elsewhere.

XXII. In an Attaint there, no challenge shall lie for lack of sufficiency in estate.

XXIII. The Judgement in such an Attaint shall not extend to Lands or Tenements, nor yet to other punishment of the petty Jury, or other proceses, then such as are limited by this act.

XXIV. In such an Attaint, if the petty Jury be attainted, Judgement shall be given against the Defendant, as at the Common Law; and against the Petty Jury, to forfeit each of them 20 *l.* or more, at the discretion of the Court, to be employed as other penalties forfeited before them; and to suffer 6 monerhs imprisonment, or less, at the like discretion of the Court, and to be forever after disabled to be a Juror.

XXV. But if the verdict be affirmed, the Grand Jury shall further inquire

inquire the corruption of the petty Jurors, and if any of them be found to have taken any reward, or promises thereof, he shall forfeit ten times the value thereof to the Plaintiff, and shall further incur imprisonment and disability to be a Juror, as aforesaid; The like forfeiture also and imprisonment shall be inflicted upon the tenant or defendant, that shall give such reward or promise, but this last forfeiture shall accrue to the Citie, in manner aforesaid.

XXVI. If a debt, costs, or damages are recovered in the first action, (whereupon the attaint is brought) and that verdict found false, the Plaintiff in such Attaint may sue for restitution of such debt, costs, and damages by Writ, Bill, or Plaint in any of the Kings Courts, wherein no wager of Law shall be admitted.

XXVII. In such an Attaint if the Plaintiff be nonsuit, or the first verdict affirmed, the Plaintiff shall be imprisoned, and make fine (to the use of the Citie) at the discretion of the Court.

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be nonsuit, and albeit all the tenants or defendants, and some of the petty Jury die, yet shall not the Attaint abate, so that two of that Jury remain in life.

XXIX. The Grand Jurors that make default shall forfeit for the first 40 s. for the second 5 l. and for every other afterwards 10 l.

XXX. Such processe shall be made against the Jurors and parties in this Attaint, as is usually made in Attaints at the Common Law, and shall be returnable at every Hustings.

XXXI. The Attaint shall not remain to be taken after the first summons for the default of the tenant or defendant, or any of the petty Jury; neither shall any Essoin be allowed in the same.

XXXII. When the triall is to be *per medietatem lingue*, the Major and Aldermen shall impanel half strangers worth 100 l. a peece.

XXXIII. Stat. 23. H. 8. 3. Upon every untrue Verdict, before Judges of Record (except where the thing in demand extendeth not to the value of 40 l. or concerneth life) the partie grieved shall have an Attaint against the petty Jury, and also against the party that hath the judgement thereupon.

XXXIV. The processe here shall be summons, re-summons, and distresse infinite, as well against the petty Jury and party, as against the grand Jury, who shall be of the accustomed number, and have lands of the yearly value of 20 markes out of ancient demesne.

XXXV. The distresse shall be awarded 15 dayes before the returne

return thereof, and shall be made upon the land of every one of the Grand Jury, as is used in other distresses.

XXXVI. Albeit the defendant, or petty Jury, or some of them appear not, yet the Grand Jury shall proceed.

XXXVII. If any of the petty Jury appear, the plaintiffe shall assign the false serement, whereunto the petty Jury shall have no other answer (if they be the same persons, and the writ, processs, return, and assignement be good) but that they made true serement, which shall be tried by 24 of the Grand Jury: unlessse the Plainatiffe hath before been nonsuit, or discontinued his suit, or had judgement against the same Jury for the same Verdict.

XXXVIII. Howbeit the defendants may plead, that they gave a true verdict, or any other matter, which may barre the Attaint; but notwithstanding such plea, the Grand Jury shall nevertheless inquire, whether the first Jury gave a true Verdict, or no.

XXXIX. If the petty Jury be found to have given an untrue verdict, they shall each of them forfeit 20 *l.* to be divided betwixt the King and the Plaintiffe, and incur several fines at the discretion of the Justices, and be ever after disabled to give testimony in any Court.

XL. If the Defendants plea in bar be found against him, the Plaintiff shall have Judgement to be restored to that he lost, with his reasonable costs and damages.

XLI. Outlawry or excommunication shall be no plea against the plaintiff in Attaint; And in the aforesaid Process such day shall be given as in dower, but no essoine or protection allowed.

XLII. If the Grand Jury appeare not, so that the Petty Juries verdict remaines untried, the defaulters shall upon the first distress forfeit 20 *s.* upon the second 40 *s.* and upon every default after 5 *l.* The like penaltie is also to be inflicted upon the *Tales*.

XLIII. The Attaint is maintainable so long as any two of the Petty Jury are alive.

XLIV. An Attaint shall also lie for a personall thing under the value of 40 *li.* in manner aforesaid; save onely that in such case the Grand Juror is to have Lands worth 5 marks *per annum* (out of ancient demesne) or to be worth 100 marks in goods; and the forfeiture of each Petty Juror shall be but 5 *li.*

XLV. For want of sufficient Jurors in one County, a *Tales* shall be awarded into another County at the discretion of the Justices.

XLVI. An Attaint shall also lie for him in reversion or remainder. And also in Attaint if the Plaintiffe be nonsuit, or discontinue the suit, he shall be fined at the discretion of the Justices.

XLVII. All

XLVII. All Attaints shall be hereafter taken in the Kings Bench or Common Pleas and not else where; and *Nisi prius* shall be granted upon the distresse at the discretion of the Justices; also any of the Petty Jury may appeare and answer by Attorney.

XLVIII. As concerning the forfeitures, the severall moities shall be recovered by the King and parties respectively by *ca. fa.* or *Fi. Fa.* or *Elegit*, or action of debt against each of the Petty Jury, their Executors or Administrators, having then sufficient goods of the testators not administred.

XLIX. Judgement and execution of restitution to the Plaintiffe, and of discharge of restitution to the tenant or defendant shall be given and had, as in case of a grand Attaint hath been used.

L. The Nonsuit or release of one Plaintiffe shall not prejudice his Companions.

LI. In every writ of Attaint after the *Teste* these words shall be inserted, *Per statutum continuatum usque annum 23. H. 8. Dei. gratia, &c.*

LII. This act shall not be prejudiciall to the Statute of 11. H. 7. 21. but every man for any untrue verdict in London may bring an Attaint upon this or that, at his pleasure.

LIII. *Stat. 37. H. 8. 5.* Citizens of London being worth 400 marks in personall estate may be Impannelled and returned by the Sheriffes of London upon Attaints there, albeit they have no realle Estates, notwithstanding the Statute of 23. H. 8. 3.

LIV. The Justices shall hereafter sit upon Attaints in London at Guildhall or some other convenient place in that Citie, and not else where; neither shall the Citizens there be compellable to appeare upon any such Attaint in any other place, notwithstanding the said Statute of 23. H. 8.

Attorney.

I. Merton. Cap. 10. 20. H. 3. Every freeman, that oweth suit to the County, Tithing, Hundred or Wapentake, or to a Court Baron may make an Attorney to do his suit for him.

II. West. 2. Cap. 10. 13. E. 1. Any person may make a generall Attorney to sue in all pleas during the circuit of Justices in Eyre: Howbeit that shall not excuse the partie from being put upon Juries and assises before the same Justices.

III. Stat. 7. R. 2. 14. They who shall depart the Realme without the Kings licence, may before their departure have a Patent from the Chancellor (with the advice of the Justices) inabling them to make

make generall Attorneys to answer for them in writs of *Premunire facias*, and all other Writs and Plaints; in which Patent particular mention shall be made of writs and plaints of *Premunire facias*: and those Attorneys may make Attorneys under them.

I V. Stat. 4. H. 4. 18. All Attorneys shall be examined by the Justices, and by their discretion put into the Roll.

V. Those, that are by them approved, shall swear truly to serve in their offices, and to make no suit in a foreign County; And insufficient Attorneys shall be put out by the like discretion of the Justices, and their Masters or Clients shall have notice thereof, lest they be prejudiced thereby.

VI. As any die or cease, the Justices shall appoint others, being vertuous, learned, and sworn, as foresaid.

VII. If an Attorney be found notoriously in fault, he shall forswear the Court, and be never admitted into any other Court.

VIII. The Treasurer and Barons of the Exchequer shall pursue the like course there at their discretions.

IX. Stat. 4. H. 4. 19. No Officer of a Lord of a Franchise; which hath return of writs, shall be an Attorney in the same.

X. Stat. 7. H. 4. 13. Impotent persons, that are Out-lawed, may make their Attourneys: Howbeit in the writ of *Capias ad satisfaci*. the Common Law shall still hold place.

XI. Stat. 33. H. 6. 7. There shall be but six common Attorneys in Norfolk, six in Suffolk, and two in Norwich, if that shall seem reasonable to the Justices: *but it seems, the Justices did not think it reasonable, because this Act was never yet put in'ure.*

XII. Stat. 3. Jac. 7. An Attorney, Sollicitor, or servant to any, shall not be allowed any fees laid out for counsel or otherwise, unless he have tickets thereof, signed by the hand of them that receive such fees; and he shall also give unto his Client true Bills of all the charges of suit under his own hand, before he can charge his Client with the payment thereof.

XIII. If he delay his Clients suit for gain, or demand by his Bill more then his due fees and disbursements, the Client shall recover against him his costs and treble damages, and he himself shall be for ever after disabled from being an Attorney, or Sollicitor any more.

XIV. None shall be admitted Attorneys in Courts of Record, but such as have been brought up in the same Courts, or otherwise well practised in solliciting of causes, and also skilfull and of honest disposition, and none but such shall be hereafter suffered to sollicit causes in any Court.

XV. An Attourney shall not admit any other to follow a suit in his name, in pain, that each of them shall forfeit twenty pounds to be divided betwixt the King and the party grieved.

Avowry.

I. Stat. 21. Hen. 8. 19. Upon a Replevin sued, an Avowry may be made by the Lord, or Conusance, and Justification by his Bailiff, or servant, upon the land holden of the said Lord, without naming any person certain to be tenant thereof: the like law is also upon every writ sued of second deliverance.

II. In any Replegiare or second deliverance for rents, customs, services, or damage fesant, if the Avowry, Conusance, or Justification be found for the defendant, or the Plaintiff be non-suit, or otherwise barred, the defendant shall recover such damages and costs, as the Plaintiff should have had, if he had recovered.

III. Both parties shall in such writs have like Pleas, Aid Prayers, and Joynder in Aid, as at the Common Law, notwithstanding this Act, Pleas of disclaimer only excepted.

Banks.

I. Magna Cart. 9. H. 3. 15. No Town or Freeman shall be distrained to make Bridges or Banks, but such as of old time, and of right have used to make them in the time of King Henry our Grandfather.

II Magna Carta 9. H. 3. 14. No Banks shall be defended from henceforth, but such as were in defence in the time of King Henry our Grandfather by the same places and bounds, as in his time.

III. Stat. 27. El. 24. Just. of Peace in Norfolk shall take order for the repair of Sea-Banks and Sea-works within the same County.

IV. Every person shall be charged towards the repair of Sea banks, as they are chargeable towards high-ways.

V. The High-Constables shall be surveyours of that work.

VI. Those charged towards Sea-works shall be discharged towards the amendment of High-ways.

Bankrupts.

I. Stat. 34. H. 8. 4. The Lord Chancellor, Treasurer, &c. shall take order with Bankrupts bodies, Lands and Goods for the payment of their debts, *But this was altered by the ensuing statutes.*

II. Stat. 13. El. 7. If any person (subject or Denizen) exercising trade, doth depart the Realm, conceal him or her self, take Sanctuary, suffer him or her self to be arrested, out-lawed, or imprisoned without just cause, to the intent to defend Creditors, being also Subjects born, shall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper upon complaint in writing against any such Bankrupt; may appoint honest and discreet persons, to take such order with the body of such Bankrupt wheresoever found, and also with the lands (as well copy as free) hereditaments, annuities, offices, writings, goods, chattels and debts, wheresoever known, which the Bankrupt hath in his own right, with his wife, childe, or children, or by way of trust to any secret use, and to cause the said premises to be searched, rented, appraised, and sold for the payment of the Creditors ratably according to their debts, as in the discretions of such Commissioners (or the most part of them) shall be thought fit.

IV. The vendees of Copihold-Lands shall compound with the Lord for their fines, and then shall be admitted, and make fealty according to the custome of the Mannor.

V. Such of the Commissioners as execute the Commission shall (upon the Bankrupts request) render him an accompt, and also the overplus (if any be) unto him, his Executors, Administrators, or Assignes.

VI. The Commissioners have power to convent before them any person accused or suspected to have any of the Bankrupts Goods, Chattels or Debts, or to be indebted unto him, and for discovery thereof, to examine upon oath or otherwise, as they (or the most of them) shall think fit.

VII. The person refusing (in that behalf) to disclose or swear shall forfeit the double value of the Goods, Chattels, or Debts so concealed, to be ordered and imployed by the Commissioners, (or the most of them) as if they were the Bankrupts.

VIII. The person demanding or detaining any of the Bankrupt, Lands, Goods, Chattels or Debts (not justly due) shall forfeit the double value, to be levied, recovered, and employed as aforesaid.

I X. If after all the Creditors are paid out of the Bankrupts estate, and the forfeitures, any surplussage shall remain, it shall be by the Commissioners divided betwixt the Queen, her heires and successors, and the poor of the place, where such Bankrupt happens to be.

X. If any person indebted absent himself from his usual place of abode, upon complaint the Commissioners (or the most of them) shall award five Proclamations to be made upon five sundry Market-days neer the said place, commanding him to render himself to the Commissioners or one of them, which if he do not within convenient time, he shall be adjudged out of the Queens protection, and the party wittingly receiving or concealing him shall (upon information of the Commissioners or the most of them) suffer such imprisonment, and pay such fine, as by the Lord Chancellor or Keeper shall be thought fit.

X I. The Creditor not fully satisfied by this means, may (notwithstanding this Act) take his course at law against the Bankrupt for the residue of his debt.

X I I. The estate, which happeneth to the Bankrupt by purchase or descent after he becomes a Bankrupt, shall also be extendable by the Commissioners, or the more part of them.

X I I I. This act shall not extend to annul estates of Lands (Free or Copy) by him conveyed before he became Bankrupt, so that they were so conveyed *bonâ fide*, and not to such as were privy to his fraudulent purpose.

X I V. Stat. 1. Jac. 15. Every subject born or *Denizen*, who using trade shall depart the Realm, keep house, absent him or herself, take Sanctuary, suffer him or herself to be arrested for a debt not justly grown due, to be out-lawed, imprisoned, fraudulently procure his other person to be arrested or goods attached, depart from home, make any fraudulent grant of lands or goods, with intent to deceive his or her Creditors being subjects born, or being arrested lie in prison six moneths or more, shall be adjudged a Bankrupt.

X V. The Bankrupt hereby described shall be proceeded against as is limited by the Stat. of 13. El. 7. in like manner as if he had been there so fully described.

X V I. Any Creditor shall be received to take his part, if he come in within four moneths after the Commission sued out, and pay his part of the charge, otherwise the Commissioners may proceed to distribution.

X V I I. If a Bankrupt grant his lands or goods, or transfer his debt

debt into other mens names, except to his Children upon Marriage (they being of age to consent) or upon valuable consideration, the Commissioners may (notwithstanding) sell them, and such sale shall be good.

XVIII. If upon warning in writing left three times at the most usuall place where he dwelt within one year before he became Bankrupt, he appear not before the Commissioners, they may cause him to be proclaimed at some publique place or places, and if upon five such proclamations he yield not himselfe, they shall by warrant cause him to be brought before them to be examined concerning his estate, &c.

XIX. If the Bankrupt shall refuse to be examin'd, the Commissioners shall commit him, until he conform; or if being examined he commit perjurie in prejudice of the Creditors to the value of 10 *l.* or more, he shall be indicted for the same, and after conviction stand upon the Pillory, and have one of his ears nailed thereto, and cut off.

XX. If any person be known or suspected to detain any of the Bankrupts estate, and do not appear, or send some lawful excuse at the next meeting after warning given him, or appearing refuseth to be examined upon oath, the Commissioners by warrant shall cause him to be arrested, and if he still refuse, shall commit him, untill he submit.

XXI. The witnesses shall have convenient charges allowed them ratably by the Creditors, and such of them as shall be perjured, and their procurers shall be indicted upon the Statute of 5. *El.* 9. which see in *Perjury*.

XXII. The forfeitures of this Act shall be recovered by the Creditors, and (the Costs of Suit deducted) shall be ratably divided amongst them.

XXIII. The Commissioners have power to assign the Bankrupts debts to the Creditors, and by such assignment they shall be recoverable by the Creditors, as their proper debts.

XXIV. No debtor shall be prejudiced by payment of his debt to the Bankrupt, before he have notice that he is a Bankrupt.

XXV. The Commissioners shall make such accompt to the Bankrupt, and likewise pay him the overplus, as by 13. *El.* 7. is ordained, and the Creditors being all satisfied, the Bankrupt may recover the remaining debts.

XXVI. If any of the Commissioners, or other person employed by them be sued for any Act done by force of the Commission, the defendant may plead *Not guilty*, or justifie, and the whole matter shall be brought in evidence, according to the very truth thereof,

and if the Verdict passe for the defendant, he shall have his costs.

XXVII. The Commissioners shall proceed to execution, notwithstanding the death of the Bankrupt.

XXVIII. Stat. 21. Jac. 19. All lawes made against Bankrupts shall be beneficially construed for the Creditors.

XXIX. All persons of trade and Scriveners that procure protections (except of Parliament) and all such as by exhibiting Petitions endeavour to compel their Creditors to take lesse then their due debts, or to gain time for the payment thereof, or being indebted in 100*l.* or more, shall not satisfie the same within six moneths after the same growes due, and the debtor arrested, or within six moneths after the original writ sued out, and notice given thereof, or left in writing at the place of their abode, or after arrest lie six moneths in prison, or escape out of prison, or procure enlargement by putting in common Bail, shall be adjudged a Bankrupt; and in case of arrest or imprisonment, from the time of the arrest.

XXX. Commissions and other proceedings provided by 13. El. 7. and 1. Jac. 15. shall be also pursued against him, that is described to be a Bankrupt by this Act; and proceedings provided by this Act shall be pursued against him, that is described to be a Bankrupt by 13. El. 7. and 1. Jac. 15.

XXXI. The Bankrupts wife shall also be examined upon oath, and if she appear not, or refuse to be examined, she shall incur the punishment inflicted by the former lawes in like cases.

XXXII. The Bankrupt that fraudulently concealeth his goods, or rendereth not some just reason, why he became Bankrupt, shall after conviction be set upon the Pillory, and lose one of his eares.

XXXIII. The Commissioners may by themselves or others break open the Bankrupts house, chests, &c. where his estate is, or is reputed to be, and then seize and order his body and estate, as by the former lawes is ordained.

XXXIV. In the distribution of the Bankrupts estate, no more respect shall be had unto debts upon Judgement, recognisances, specialties with penalties, or the like, then to other debts.

XXXV. The Commissioners may proceed, when the Bankrupt by fraud makes himself accomptant to the King.

XXXVI. Another mans goods in the Bankrupts possession and disposition shall be also distributed by the Commissioners, as the Bankrupts own goods.

XXXVII. The Commissioners grant of the Bankrupts entailed

tailed lands shall be good, except when the reversion or remainder is in the King.

XXXVIIII. Conditional estates granted by the Bankrupt may be redeemed by the Commissioners, and afterwards sold as his other estate.

XXXIX. No Purchaser shall be impeached by this or the former Acts, unless the Commission be sued forth within five years after he becomes Bankrupt.

XL. This Act as also all the former shall extend to strangers, (both Aliens and Denizens) as well as to subjects born, as well to be relieved, as also to be subject to the penalties thereof.

Barwick.

I. Stat. 22. E. 4. 8. Merchandize carried into or brought out of Scotland, or the Isles thereof, shall be first brought to Barwick, in pain to forfeit the same.

II. The Burgeses and Free-men of Barwick onely shall have the selling of all Salmon taken in *Tweed*. And the Merchants and Free-men there shall have the Ferme of the Waters Royall, and Fishings within the Seigniorie there.

III. Stat. 1. Ja. 28. An Act for the Liberties of Barwick.

Bastardie and Bastards.

I. Merton, cap 9. 20. H. 3. A Childe born before Marriage is a Bastard, albeit the common order of the Church be otherwise.

II. Stat. 9. H. 6. 11. No writ shall be awarded to the Ordinary to certifie Bastardie, before three Proclamations be made in Chancery in three moneths, viz. once every moneth, that all persons who have any thing to object against the partie for Bastardie, shall sue to the Ordinary for that purpose.

III. Stat. 18. El. 3. The two next Justices (1. Qu.) may take order as well for the punishment of the mother, and reputed father of a Bastard-childe, as also for the relief of the Parish where it is born, by charging the said mother and father with the sustentation thereof by payment of money weekly, or otherwise.

IV. If the mother or father perform not the Justices order therein, they shall suffer imprisonment without bail, except he, she, or they give security to perform it, or else to appear at the next Qu. Sess. and also to abide the order of the greater part of the Justices there, if any shall be there made; if not, then to perform that made by the two Justices.

Bishops and Bishopricks.

V. *Stat. 7. Ja. 4.* Justices of Peace shall commit to the house of Correction lewd women, which have Bastards that may be chargeable to the Parish, there to be punished. and set on work one whole year: And if they offend again, they shall not be enlarged without giving good security to offend no more.

VI. *Stat. 21. Ja. 27.* It shall be murder for a mother to conceal the death of her Bastard-child, unless she can prove by one witnesse (at least) that it was still-born.

VII. *Stat. 3. Car. 4.* All Justices of P. within their severall limits and Sees, may do and execute all things concerning that part of 18. *El. 3.* which concerns Bastards, that by the Justices of Peace in the severall Counties are by the said Statute limited to be done.

Battail and Grand assise.

I. *West. 1. cap. 40. 3. E. 1.* Part of the oath in a writ of right or the Demandants Champion, expunged.

Beaupleader.

Mert. cap. 11. 52. H. 3. West. 1. cap. 8. 3. E. 1. & 1. E. 3. 8. No fines shall be hereafter taken in Circuits, Counties, Hundreds, or Court-Barons for fair Pleading.

Bishops and Bishopricks.

I. *Stat. 1. E. 3. Stat. 2. cap. 2.* The King shall not cause to be seized into his hands the Temporalties of any Bishop.

II. *Stat. 14. E. 3. Stat. 3. pro Clero, cap. 3.* The Temporalties of Bishops or other people of Holy Church shall not be seized into our hands without just cause.

III. *Stat. 25. E. 3. Stat. 3. pro Clero, cap. 6.* A Bishops temporalties shall not be seized into the Kings hands for a contempt, but he shall hereafter in such case pay a reasonable fine.

IV. *Stat. 26. H. 8. 14.* Thetford, Ipswich, Colchester, Dover, Gilsford, Southampton, Taunton, Shaftesbury, Molton, Marlborough, Bedford, Leicester, Gloucester, Shrewsbury, Brisol, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, Pereth, Barwick, St. Germanes in Cornwall, and the Isle Of Wight, shall be Sees of Bishops Suffragans, and the Bishops of such Sees shall be called Suffragans of this Realm.

V. The Bishop shall by petition present to the King, two persons to be his Suffragans, whereof the King shall allow one, who shall thereupon be called Bishop-Suffragan of that See, and shall by the Kings

Kings letters Patents be presented to the Arch-bishop of the respective Province to be consecrated to the dignitie of that Office, which the Archbishop shall do within three moneths after the receipt of such letters patents.

V I. The Suffragan shall not exercise any greater authority, nor make any other benefit, then what is limited unto him by Commission from the Bishop of the Diocesse, in pain to incurre a *Premunire*.

V II The Suffragan himself, or the Bishop that presents him to the King, shall at their own costs provide two Bishops or Suffragans to consecrate the Suffragan with the Arch-bishop.

V II I. The Suffragans residence over the Diocesse shall be sufficient for his benefice, and a Suffragan may have two benefices with Cure.

I X. *Stat. 1. E. 6. 2.* The writ of *Conged' elire* ousted, and none but the King (by his letters Patents) shall collate to an Arch-bishoprick or Bishoprick.

X. An Arch-bishop, Bishop, or Suffragan, collated by the King shall pay all usual Fees.

X I. All proceſſe Ecclesiastical shall be in the Kings name, but the *Teste* in the name of the person having Ecclesiastical Jurisdiction, and when they issue from the Commissary, Official, or other Substitute, he shall subscribe his name after the *Teste*.

X I I. The seal of office belonging to any such person, shall have the Kings Arms engraven upon it, with Characters under them, to notifie the Diocesse, and he shall not use any other Seal, in pain of Imprisonment, during the Kings pleasure.

X I I I. Provided that no more or other Fees be taken for such Seal then as before; And that the Arch-bishop of *Canterbury* may use his own Seal and name for Faculties and Dispensations, according to the Statute of 25. H. 8. 21. and also that Arch-bishops, and Bishops may make and order their Substitutes, and may also issue Commissions of Suffragans, Certificates to the Court of Tenths, Collations, Presentations, Gifts, Institutions, Inductions, Lettrs of order, or Dimissories under their own names and Seals, as in times past.

X I V. Certificates into a Court of Record, shall be in the Kings name, under the Bishops Seal, engraven with the Kings Arms, as aforesaid, *Teste* the Bishop.

X V. But note that this Statute was repealed by 1. M. 2. and that Act of M. is afterwards repealed by 1. Ja. 25. yet quære, whether this Statute of 2. E. 6. 2. be now in force.

X V I. *Stat.*

XVI. Stat. 3. E. 6. 1. The form of consecrating Bishops, and Priests is established, being comprised in a Book, compiled by six Prelates, and six other appointed by the King, which statute see in Service, and Sacraments.

But note that this Act was also repealed by 1. M. 2. as the other next before.

XVI I. Stat. 1. and 2. P. M. 3. All Bishopricks are confirmed, which see in Rome.

XVIII. Stat. 8. El. 1. The Statute of 1. El. 1. touching the Book of Common Prayer, and Administration of the Sacraments is confirmed.

XIX. The Statute of 5. and 6. E. 6. 1. Touching the form of consecrating Arch-Bishops, and Bishops, & the making of Priests, Deacons, and Ministers, and all Acts done concerning the consecrating of Bishops, by force of the Queens Commission, are also confirmed.

XX. Provided that no person shall be impeached by any Certificate of any Bishop heretofore made, touching the Oath of Supremacie made, 1. El. 1.

XXI. Stat. 39. El. 8. Deprivations of Bishops, and Deans in the beginning of the Queens reigne shall be good; And such as have been made since the Queens time, shall be lawful.

XXII. Stat. 1. Ja. 3. All assurances of Bishops Lands to the King shall be void.

Books and Images.

I. Stat. 25. H. 8. 15. None shall buy Books, to sell again, which are brought from beyond-Sea ready bound, in pain to forfeit for every Book 6. s. 8. d.

II. None shall buy of a stranger (that is no Denizen) any printed Books brought from beyond Sea, except in grosse, upon the like pain.

III. The forfeitures shall be levied of the buyers, and divided betwixt the King, and the prosecutor.

IV. The prices of Books increased to unmeasurable rates, shall be qualified by the Chancellor, Treasurer, and two Chief Justices, or any two of them.

V. Stat. 3. and 4. E. 6. 10. Popish Books are abolished, and Images taken out of, or yet remaining in Churches shall be destroyed: But *Quære, whether this Statute be in force, because repealed*

by

by 1. M. 2. for albeit 1. M. afterwards be repealed by 1. Jac. 52. yet because the Stat. of E. 6. was once repealed, and not since revived by special words, it may be doubted whether it be now in force.

Bowes and Bowstaves.

I. Stat. 12. E. 4. 2. Four Bowstaves shall be brought into this Realm for every Tun of Merchandize brought in by any Merchant stranger, from any place from whence Bowstaves have been formerly brought, in pain of 6. s. 8. d. for every Bowstave, whereof default is so made.

II. Search and survey shall be made of such Bowstaves by the head-officer where the Ship, &c. lands, who shall have power to appoint officers for that purpose.

III. Stat. 1. R. 3. 11. Ten Bowstaves shall be brought into this Kingdom for every Butt of Malmesey, or Tyre, in pain of 13. s. 4. d. for every Tunne.

IV. Bowstaves shall not be sold ungarded, but to a Subject born.

V. Stat. 8. El. 10. A Bowyer dwelling in London, or the Suburbs shall have alwayes ready 50. Bowes of Elm, Witch-hasel, or Ash well made and wrought, in pain of 10. s. for every Bowe failing of that number, to be divided betwixt the King and the prosecutor, who must be an Armourer, Fletcher, or Bowstring-maker.

VI. No Bowyer shall sell a Bowe of outlandish Elme, of the best sort for above 6. s. 8. d. of the second sort above 3. s. 4. d. and of the worst sort above 2. s. nor one made of English Elme above 2. s. in pain to forfeit for every Bowe otherwise sold 40. s. to be divided betwixt the King, and any of the aforesaid Artificers, that will sue for the same.

VII. Stat. 13. El. 14. The Statute of 12. E. 4. confirmed.

VIII. All Merchant-strangers bringing wares from the East-parts, as well, as from the 72. Hanse-Townes, shall be bound by the said Statute of 12. E. 4. 2. under the paines therein contained to be divided betwixt the King and the prosecutor.

Brasse, Laten, Copper, Bel-mettle, Pewter, &c.

I. Stat. 19. H. 7. 6. None shall sell or change Brasse, save only in open Faires and Markets, or in their own Houses (except they be desired by the buyer of such Wares) in pain of 10. l.

II.

I I. None shall cast, or work Brass, or Pewter, but according to the goodnesse of Metal wrought in *London*, in pain to forfeit the one Moiety thereof to the King, and the other to the finder.

I I I. Hollow Ware of Pewter called Lay-metal, shall be wrought after the Assise of Lay-metal in *London*, and shall be marked, in pain to forfeit the said Wares, or (being sold) the price thereof, which shall be divided, as aforesaid.

I V. None shall use (in the selling of Brass or Pewter) any fals Beams or Weights, in pain to forfeit 20. s. to be divided, as above, and in case he be not able to pay it, he shall be (by the Head-officer) committed to the stocks till the next Market-day, and then stand upon the Pillory.

V. Searchers of Brasse and Pewter in every City and Borough, shall be appointed by the Head-officers of the same, and in every County by Justices of P. at their *Mich.* Seff. and in default of searchers in Cities and Boroughs, any other person (skilfull in that Mystery) by oversight of the Head-officers, may take upon him the search of defective Brass, which shall be equally divided as aforesaid.

V I. Stat. 4. H. 8. 7. The Stat. of 19. H. 7. 6. is confirmed; And besides it is enacted that in Cities, and Boroughs, search of defective Tinne, and Pewter shall be made by the Wardens of the Craft of Pewterers; and in Towns where no wardens are, searchers shall be appointed by the Head-officers there, which said defective Ware shall be forfeited and divided as in the former Statute.

V I I. Stat. 25. H. 8. 9. None shall buy, or take by way of exchange any Wares made of Tinne, or Pewter, out of the Realm, in pain to forfeit them, and also the value thereof in Money.

V I I I. Officers may search and seize wares brought into this Realm, contrary to this act.

I X. No stranger born, shall work any Pewter or Tinne in *England* in pain to forfeit the same.

X. No Pewterer shall teach his Trade in a forreign Nation, in pain to lose the priviledge of an Englishman.

X I. Licences and Placards to wandering Brasiers, and Pewterers shall be void.

X I I The penalty of 10. l. mentioned in 19. H. 7. 6. and those likewise of this present Act, shall be equally divided betwixt the King, and the finder.

X I I I. Stat. 33. H. 8. 4. The Statute of 25. H. 8. 9. is made perpetual.

XIV. None shall withstand the search of Brasse, Tinne, Pewter, &c. in pain of 5*l.* to be divided, as in the former Statutes.

XV. Stat. 33. H. 8. 7. None shall convey out of this Realm Brasse, Copper, Laten, Bell-metal, Pan-metal, Gun-metal, or Shrooffe-metal, clean or mixed (Tinne and Lead only excepted) in pain to forfeit the double value, to be divided betwixt the King and the prosecutor.

XVI. The landing thereof in forreign parts shall be tried, and determined in the County where it was Shipped.

XVII. None shall transport such metal from one part of the Realm to another, before he hath acquainted the Customer where the Ship is, with the true weight thereof, and also give him bond to the Kings use, of the double value thereof, with condition to land it in some part of this Realm, in pain to forfeit the same, in manner and forme aforesaid, and shall also within eight months after bring from the Customer of the place, where he lands it, a certificate of the landing thereof, which Customer shall give him or his Factor such a certificate without delay.

XVIII. The Customer that makes a false Certificate in such case, shall lose his place, and the value of the goods so concealed.

XIX. If the goods be diminished by tempest, enemies or Pirates, upon due proof thereof made to the Customer by the party, his executor, or, &c. his bond shall be re-delivered, or otherwise discharged.

XX. Stat. 2. & 3. E. 6. 37. The penalty of 10*l.* for every thousand weight is added to the forfeiture of the double value of metal transported contrary to the Stat. of 33. H. 8. 7.

XXI. Also 10*l.* for every thousand weight shall be added to the double value of the goods, and the total thereof put into the Bond to be made to the Customer, according to the Stat. of 33. H. 8. 7. which bond if it wants a date, the Customer shall forfeit his place, and the value of the goods shipped.

XXII. If any Officer of the ship suffer any such metal to be shipped, and do not disclose it within three dayes, he shall forfeit the double value thereof, or if any Customer or searcher having notice thereof doth not seize it to the Kings use, he shall lose his office and the value of the metal.

XXIII. None shall lade such metal but where there is a Customer, in pain to forfeit 10*l.* and the metal.

XXIV. The forfeitures are to be divided betwixt the King and prosecutor.

XXV. The

XXV. The Statute of 33. H. 8. 7. in all points not altered by this, is confirmed.

Breakers of Leagues and Truce.

I. Stat. 2. H. 5. 6. In every Port (beside the Cinque-ports) there shall be a Conservator of the Truce, worth in land 40 *l. per annum* at least, who by the Kings letters patents and the Admirals commission, shall have power to inquire of (by inquest) and inflict punishment for offences done upon the Sea against truce and false conducts, in like manner as the Admirals have heretofore used to do: Howbeit the death of a man is reserved to the Admirall.

II. The Conservator hath power to award processses against the offenders, (*viz. capias* and *Exigent*) wherein the additions of the parties indicted shall truly be inserted; and also by himselfe or his Lieutenant to hear and determine differences betwixt party and party concerning Truce and false conducts.

III. The Conservator shall have two men learned in the law joyned in commission with him as his associates, and both he and they shall be sworn to take no fee, gift, &c. save of the King only, and if any be offered them, that they forthwith discover it to the King or his Chancellor, in pain of imprisonment and fine.

IV. The Conservator shall be resident upon the place where he is appointed Conservator, and shall have for his fee 40 *l. per annum* at least; and a Seal of the Kings proper for his office.

V. Every Master of a Ship (and owner too, if he be present) shall before he departs the Port be sworn before the Conservator not to attempt any thing against the Truce, and the Conservator shall record the name of such Master and Owner, and also of the Ship, together with the number of the Mariners: And if they take any thing from the Enemy, the Conservator shall be acquainted therewith before discharge or sale; if for some reasonable cause the Ship entred not some other Port, and then they must procure from the Conservator there a testimonial under seal of the goods taken; and their value to be shewed to the Conservator of the Port from whence they first came. And all this they must do, in pain to forfeit the Ship, and suffer imprisonment untill they make fine and rancome to the King.

VI. Provided, that no possessor of a Ship shall suffer Imprisonment or make fine, unless he was present in the ship when the offence was committed.

VII. The Admiral shall have all forfeitures out of the Cinque-ports, as before hath been used.

VIII. Con-

VIII. Conservators to be made within the Cinque-ports by the Kings Letters patents, and the Wardens commission shall also have like power within that Franchise, and the Warden shall have the forfeitures there, as in times past: Howbeit, the death of a man in reserved to the Warden.

I X. Stat. 4. H. 5. 7. If any with whom truce is broken at Sea, complain thereof to the Keeper of the privy Seal, he shall have Letters of request under the privy Seal, and if thereupon the offender makes not restitution, he shall have Letters of Mart granted him under the great Seal.

X. Stat. 14. E. 4. 4. The former Statutes are confirmed.

Bridges.

I. Stat. 3. H. 6. 28. An Act for the making *Burford* and *Culhamford* bridges.

II. Stat. 22. H. 8. 5. Four Justices (1. Qu.) shall in Sessions inquire, hear and determine the annoyances of Bridges, and of the High-ways adjoining within 300 foot next unto the said Bridges, and shall also charge such as should repair them by sending forth processses, and setting pains, as they shall think fit.

III. When it cannot be known what Precinct shall repair a bridge, or way, they shall be repaired by the County, Riding, or Corporation, within which they are scituate, and if they happen to be scituate in two of such Precincts, the inhabitants there shall repair their several parts respectively.

IV. The said four Justices have power to call before them the Constables, or two able men of every Parish, and by their assent to make a tax, and to appoint Collectors to levie the same by distresse and sale, and also to appoint Surveyours of such decayed bridges and wayes, unto whom the Collectors shall pay the money levied, which said Collectors and Surveyours shall render an account unto the said Justices upon pain of Imprisonment without bail.

V. The Justices may in this case send processses out of their Jurisdiction, which the Officers to whom it is directed, shall obey and serve, in pain to be fined by the said Justices.

VI. This Act shall not extend to the five Ports, nor to the members of the same: save onely that their officers shall have such power to reform annoyances of Bridges and wayes there, as the Justices of P. have elsewhere by force of this Act.

VII. The Justices shall allow to the Collectors and Surveyours their reasonable charges.

VIII. Stat. 18. El. 17. A good law for the maintenance of Rochester bridge in Kent; See the Statute.

IX. Stat. 18. El. 20. An Act for the repair of the bridges and high wayes within one mile of Oxford: See it at large.

X. Stat. 23. El. 11. An Act for the re-edifying and maintenance of the bridges over Toffe neer Cardiffe in the County of Glamorgan in South-Wales.

XI. Stat. 27. El. 25. Another Act for the repair of Rochester bridge.

XII. Stat. 39. El. 23. An Act for the making and repairing of Newport and Carlion Bridges over the River of *uske*.

XIII. Stat. 39. El. 24. An Act for the building of a Bridge at Wilton upon Wye in the County of Hereford, neer Roffe, and what Pontage shall be there taken.

XIV. Stat. 43. El. 16. An Act for the erecting and repairing of Edon and Presberk bridges in Cumberland.

XV. Stat. 3. Jac. 23. An Act for new making and repairing of Chappfow bridge.

XVI. Stat. 3. Jac. 24. An Act for the building of Upton bridge over Severne in Worcester-shire within three years. Exp.

Brokers.

I. Stat. 1. Jac. 21. The sale of goods wrongfully gotten to any Broker in London, Westminster, Southwark, or within two Miles of London shall not alter the property thereof.

II. If a Broker having received such goods, shall not upon the request of the true owner truly discover them, how and when he came by them, and to whom they are conveyed, he shall forfeit the double value thereof to the said owner.

III. This Act shall not prejudice the ancient trade of Brokers in London, being selected and sworne for that purpose; It being only intended against Friperes and Pawn-takers, who for the most part keep open shop.

Burning of Carts and Wood, cutting of Dams, Heads of Ponds, Conduits, Pipes, Tongues, and Eares, and Barking of Trees.

I. Stat. 3. 7. H. 8. 6. If any maliciously and willingly cut the head of a Pond, burn a Cart laden, a heap of wood prepared for coal,

coal, cut out the tongue of any tame beast being alive, or the eares or eares of any person, or bark any fruit-trees, for every such offence he shall lose treble damages to the party grieved, and pay 10*l.* to the King.

Butchers.

I. Stat. Of Bakers and Brewers, *cap.* 7. 31. E. 1. A Butcher that sells Swines-flesh mezeled, or dead of the murrain; for the first offence shall be amerced, for the second have the Pillory, for the third be imprisoned, and make fine; for the fourth abjure the Town.

II. Stat. 4. H. 7. 3. No Butcher shall kill any flesh in his Scalding-house, or within the walls of *London*, in pain to forfeit for every ox so killed 12*d.* and for every other beast 8*d.* to be divided betwixt the King and the prosecutor.

III. The same law shall extend to all other walled Townes; and to *Cambridge*, *Barwick*, and *Carlisle* onely excepted.

Butler of the King.

I. Stat. 25. E. 3. *cap.* 21. The Steward of the house and Treasurer of the Wardrobe shall give notice how much wine shall be taken by the Butler or his Lieutenant in every port, which number shall not be exceeded.

II. A Certificate shall be made by the Major and Bailiffes there under their seals by indenture betwixt them and such takers of wine to the said Steward and Treasurer how much wine is so taken.

III. If the Butler or his Lieutenant take more wine, or any reward, or delay any by colour of his office, (as by arrest) he shall forfeit double damages to the party grieved, lose his office, be imprisoned, and be ransomed at the Kings will.

IV. Stat. 43. E. 3. 3. The Kings Butler, or his Lieutenant shall take no more wine then he shall be commanded, in pain to be imprisoned and ransomed at the Kings will; And after ten dayes the Merchant may sell the residue, notwithstanding their arrest.

Butter and Cheese.

I. Stat. 3. H. 6. 4. The Lord Chancellor may grant licence under the great Seal to any to convey Butter and Cheese, to any other place besides the Staple, which then was *Calais*.

E

II Stat.

Calves, and other Cattel.

I I. **Stat.** 18. H. 6. 3. Butter and Cheese may be conveyed to any place out of the Realm (being in the Kings amitie) without licence.

I I I. **Stat.** 3. & 4. E. 6. 21. None (except Inholders and Victuallers in their houses) shall buy any Butter or Cheese to sell again, save onely by retail in open Shop, Fair, or Market; and so, not above a wey of Cheese, or a barrel of Butter at one time without fraud, in pain to forfeit the double value, to be divided betwixt the King and the prosecutor.

I V. **Stat.** 21. *Jac.* 22. The Statute of 3. & 4. E. 6. 21. and so much of the Statute of 5. & 6. E. 6. 14. as concerns the buying and retailing Butter and Cheese (which see in *Fore-stallors*) shall not extend to the retailers of cheese in *London*, *Westminster*, or *Southmark*, having served seven years in that trade, and not uttering above four wey of cheese, or four barrels of Butter at one time without fraud.

V. Justices of Peace in Sessions have power to restrain the retailing of Butter and Cheese, during which restraint those that retail shall be liable to the penalties of 3 & 4. E. 6. 21. and 5. and 6. E. 6. 14.

Cables, Halsors, & Ropes.

Stat. 21. H. 8. 12. **A**N Act for true making of Cables, Halsors, and Ropes in *Burport*, and within five miles thereof, See the Statute at large.

I I. **Stat.** 35. Ed. 8. None shall make, or cause to be made any Cables of old stuffe, which shall contain seven inches in compasse, in pain to forfeit four times the value of every Cable so made: neither shall any Tar or cause to be tarred any Halsors, or other Cordage made of old stuffe, being of lesser Assize, nor put the same to sale; in pain to forfeit the treble value of every such Cable, Halsor, or other Cordage of lesser Assize, then seven inches made and tarred, as aforesaid.

I I I. The said forfeitures are to be divided betwixt the Queen and the prosecutor.

Calves and other Cattel.

I. **Stat.** 3. & 4. E. 6. 19. No Cattel shall be bought but in open Fair or Market, and those not sold again in the same Fair or Market,

Market, in pain to forfeit the double value.

II. No Butcher shall buy any Cattel, and sell the same again alive, in pain to forfeit them.

III. *Stat. 2. & 3. P. & M. 3.* He that keepeth above 120 sheep, or 20. beasts upon several Pasture-ground apt for Milch-kine, and not Commonable, shall yearly for every 60 sheep, or 10 beasts keep one Milch-cow, and for every 120 sheep, or 20 beasts rear up one Calf, in pain to forfeit for every Cow or Calf not so kept or reared 20 s. viz. the one half to the King and Queen, and the other to the prosecutor, if he commence his suit within one year after the offence committed.

IV. Justices of Peace in Sess. have power to hear and determine the breach of this Statute.

V. This Act shall not binde such as keep sheep, or feed beasts only for their own provision.

VI. *Stat. 7. Jac. 8.* The Statute of 2 & 3. *P. & M. 3.* shall also extend to grounds, which since the said Act have been, or shall be made several.

Cambridge and Cambridge-shire.

I. *Stat. 34. 35. H. 8. 24.* An Act for the assurance of certain Lands to *John Hinde* (then Serjeant at Law) and his heirs paying yearly 10 l. towards the charges and wages of the Knights of the Parliament for Cambridge-shire for ever.

II. *Stat. 35. H. 8. 15.* An Act for paving the streets in *Cambridge*. See these Statutes at large.

Captains and Soldiers.

I. *Stat. 7. R. 2. 10.* The Covenant of such as shall serve the King in his Wars or Embassies shall be recorded in the Exchequer, as also the repeal of their retinue; to the end a just account may be thereupon had, if need be.

II. *Stat. 18. H. 6. 18.* No Captain shall detain any part of his Souldiers wages, in pain to forfeit to the King 20 l. for every Spear-man, and 10 l. for every Bowe-man.

III. Howbeit, if they have been waged half a year, the Captain may detain 10. s. for the gown of a Gentleman, and 6 s. 8 d. for that of a Yeoman.

IV. *Stat. 18. H. 6. 19.* It is felonie for a souldier (retained to serve the King in his wars) not to go with, or to depart from his Captain without licence.

Captains and Souldiers.

V. Officers shall arrest souldiers, who within their term limited come on this side the Sea without Letters testimonial of their Captain, and shall retain them, until the cause of their return be tried.

VI. Justices of Peace have power to hear and determine those offences. *Vide Co. 6. 27.*

VII. *Stat. 7. H. 7. 1.* A Captain, which shall not have the whole number of his souldiers, or not pay them their due wages within six dayes after he shall have received them, shall forfeit all his goods and chattels, and suffer imprisonment.

VIII. It is felony for a souldier retained to depart from his colours without licence, for which he shall not enjoy the benefit of his Clergie.

IX. Justices of Peace have power to inquire, hear, and determine this offence of departing without licence, and the trial thereof shall be in the same County where the souldier is apprehended.

X. This Act shall not be prejudicial to Captains, when souldiers die, or otherwise depart without any default of theirs, so that they therewith acquaint (at land) the Treasurer of the Wars within ten dayes after, or (at Sea) the Admiral at their next meeting with him: *But, Quære, whether this Statute survived H. 7.*

XI. *Stat. 3. H. 8. 5.* This Act is in all parts the same with *7. H. 7. 1.* save onely, that it shall not extend to Captains and souldiers in *Barwick, wales, Calice,* or other places in *France*; nor to Captains having under them retinue of Souldiers, or for non-payment of the Kings wages to Captains household-servants. *Quære also, whether this survived H. 8.*

XII. *Stat. 2. & 3. E. 6. 2.* A souldier that maketh away his horse or armes, (proof thereof being made before the Chief Commander) shall suffer imprisonment without bail, untill he hath satisfied the party, at whose charge he was sent out.

XIII. If such a souldier escape from the Armie without punishment, he shall be liable to the same, to be inflicted upon him by any Justice of P. in those parts where he shall be apprehended, unlesse he bring sufficient testimony from the Commander, that the Horse or Armes were otherwise lost, or imployed in the Kings service.

XIV. It is Felonie (without benefit of Clergie) for a Souldier retained, to depart without licence of his Commander, whereupon Justices of P. may proceed, as in case of Felonie.

XV. The Commissioner or Captain that licenceth any person retained,

retained, and assumeth another for gain, or which giveth to any licence to depart without warrant from the Commander, shall forfeit 20. l. to the King for every person so let go.

XVI. The Lieutenant general, or other Officer, that receives more wages for Souldiers then there is cause, and doth not every moneth (by a note in writing) acquaint the Treasurer of the Army with every Souldiers entry into pay, death, or departure, shall forfeit 5. l. to the King, suffer one moneths Imprisonment, and lose his place.

XVII. None but the Commander shall licence any, in pain of Imprisonment both of the licencer, and licenced, at the discretion of the said Commander.

XVIII. The Lieutenant General shall command this Act to be proclaimed in the Army once every moneth, and every Governour in his fortresse, once every three moneths.

XIX. Every person which shall inform the Lieutenant of any of these offences, shall have a moneths pay, belonging to him that is faulty.

XX. This Act shall not prohibit officers to retaine yearly 6 s. 8 d. for the Coat of a Yeaman, and 12 s. 4 d. for the Coat of a Gentleman; Neither shall it be prejudiciall unto them, when the lack of Souldiers is not through their default, nor when they have under them a retinue of Souldiers, or for non-payment of the Kings wages to their household-servants; Neither shall it extend to prohibit relief of tenants or friends, towards service in warre, or the detaining of Souldiers wages upon lawful causes

XXI. Stat. 43. El. 3. The more part of the J. of P. yearly in their Easter Sess. have power to charge every Parish towards a weekly relief of Maimed Souldiers, and Mariners, so that no parish pay weekly above 10 d. nor under 2 d. nor any County, which consists of above 50 parishes pay above 6 d. one parish with another: which Summes so taxed, shall be assessed in every parish by the Parishoners, or (in their default) by the Church-wardens, and Constables, or (in their default) by the next Justice, or Justices of Peace.

XXII. The Constables and Chutchwardens of every Parish, have power to levie the tax of every person refusing to pay it, by distresse and sale, and (in their default) the said Justice, or Justices next adjoyning.

XXIII. The tax being thus levied, the Constable & Churchwardens shall deliver it quarterly (ten dayes before every quarter Sess.) to the High Constable of their Division, who shall deliver it over

to the Treasurers of the County at the same *Quarter-Sessions*.

XXIV. The Treasurers shall be subsidie-men, *viz.* of 10 *l.* in lands, or 15 *l.* in goods, and shall not continue in their office above one year, rendering up their accounts yearly at *Easter-Sessions*, or within ten dayes after to their successors.

XXV. The Officer, his executor, &c. that fails in payment of the summes levied shall forfeit, *viz.* the Church-wardens or Constables 20 *s.* and the High Constable 40 *s.* which the Treasurers have power to levie (by distresse and sale) in augmentation of their stock.

XXVI. The Treasurer (or his executor, &c.) that hath been negligent to execute his office, or to render an account within the time above-limited, shall be fined by the Justices of Peace in the Sess. 5 *l.* at least.

XXVII. The maimed souldier or Mariner, which was prest, shall repair (if he be able to travel) to the Treasurers of the County, where he was prest; If he were not prest, then to the Treasurers of the County, where he was born, or where he last dwelt by the space of three years at his election: but if he be not able to travel, then to the Treasurers of the County, where he lands.

XXVIII. He shall bring to any of the Treasurers aforesaid a Certificate under the hand and Seal of the chief Commander, or of the Captain, under whom he served, containing the particulars of his hurts and services; which certificate shall be also allowed by the Muster-Master, or the Receiver General of the Muster-rolles under one of their hands.

XXIX. Upon such a certificate the Treasurers aforesaid may allow him relief to maintain him until the next *Quarter-Sessions*, at which the more part of the Justices may allow him a pension, which the Treasurers shall pay him quarterly, untill it shall be revoked or altered by the said Justices; And this allowance to him, that hath not born offices, shall not exceed 10 *l.* to an Officer under a Lieutenant 15 *l.* to a Lieutenant 20 *l.*

XXX. When Souldiers or Mariners arrive far from the place where they are to receive relief, the Treasurers there shall give them relief, and a testimoniall, whereby they may pass from Treasurer to Treasurer, untill they shall come to the place required, and this shall be done upon the bare certificate of the Commander and Captain, although they have not as yet obtained any allowance thereof from the said Muster-master, or Receiver General of the Muster-rolles.

XXXI. The Treasurers shall register their receipts and disbursements, and enter the names of the parties relieved and also the cer-

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certificate, by warrant whereof the disbursments are made; the Muster-master also, or Receiver aforesaid shall register the name of the parties, and the certificates by him allowed: And the Treasurer returning or not allowing the Muster-masters certificates shall thereupon subscribe or endorse the cause of his disallowance.

XXXII. Justices of Peace in Sess. have power to fine a Treasurer that wilfully refuseth to give relief, which any two of them (appointed by the rest) may levie by distresse and sale of goods.

XXXIII. A Souldier or Mariner that begs, or counterfeits a certificate, shall suffer punishment as a common Rogue, and shall lose his pension, if he have any.

XXXIV. The surplussage of this contribution shall be employed by the more part of the Justices in Sessions upon charitable uses, according to the Statutes made for relief of the poor, and punishment of Rogues.

XXXV. In Corporations the Justices there shall put this Act in execution, and not the Justices of the County, and shall be liable to fines as well as other Justices, if they misuse their power therein, and shall appoint a Collector of this tax, which shall have the power, and be subject to the penalties limited (by this Act) to High Constables of Counties.

XXXVI. The forfeitures accruing by this Act shall be employed as the surplussage abovesaid, or otherwise kept in augmentation of the stock, as the more part of the Justices in Sessions shall direct.

XXXVII. When out of the County where the party was prest, a fit pension cannot be satisfied, it shall be supplied by the Counties where he was born, or where he last dwelt by the space of three years.

XXXVIII. This Act shall not prohibit the City of London to make a tax (if need require) differing from that above limited; so that no Parish pay above 3 s. weekly, nor above or under 12 d. weekly one Parish with another.

Captives.

I. Stat. 16. 17. Car. 24. An Act for the relief of them taken by Turkish, Morish, and other Pirates, and to prevent the taking of others in time to come. See the Statute at large.

Castles and Fortresses.

I. Magna Carta, 19. No Constable of a Castle or his Bailiff shall

shall take provision of a stranger without ready money, and one that dwelleth where the Castle is shall be paid for it within forty dayes.

I I. *Magna Carta*, 20. A Knight shall be freed from Castle-guard, doing the service by himself, or another, or being with the King in his Host.

I I I. *1. 7. 3. E. 1.* No Constable or Castellain shall exact any thing of any but such as reside in their Town or Castle, unlesse it be an ancient price due to the King, Castle, or Lord of the Castle.

Certificate of the cause of Attainder, &c.

I. *Stat. 34. H. 8. 14.* The Clerks of the Crown, Assize, and Peace, shall certifie into the Kings Bench the tenor of every Indictment, Outlawry, or Conviction and Clerk attaint had before them respectively for any felony or other offence, and that within 40 dayes next after such attainder, conviction, or outlawry, if it be Term-time; otherwise, within 20 dayes after the beginning of the Term, next following the 40 dayes; and shall also deliver a transcript of the Indictment to the Ordinary, to whom the person attainted is committed: and all this in pain of 40 s. to the King and prosecutor: *But note that the transcript to the Ordinary need not now since the Stat of 18. El. 7. which see after in Clergy.*

I I. The Clerk of the Crown shall receive such certificates, in pain of 40 s. for every one refused.

I I I. When the Indictment containeth more names then are convict, a transcript containing onely the names of such as are convict shall serve.

I V. The Clerk of the Crown being sent to by Justices of Gaol-delivery, or Peace for the name of any person so convict and certified, shall without delay send a certificate thereof, in pain of 40 s.

V. No certificates out of *wales, Chester, Lancaster, Durisme;*

Cessavit.

I. *Glocester, cap. 4. 6. E. 1.* If a Free-farmer ceaseth to pay his rent two years together, the Lessor shall have a Cessavit against him and recover the land, unlesse before judgement he pay the arrears, and give security to pay duely for the future.

I I. *1. 2. cap. 21. 13. E. 1.* A Cessavit by the Chief Lord against his Free-hold tenant, that ceaseth *per biennium*.

I I I. A

III. A *Cessavit* is maintainable by the heir of the demandant against the heir or assignee of the tenant.

Challenge.

I. *Stat. de Inquis. 33. E. 1.* If one challengeth a Juror for the King, he shall forthwith assigne the cause, which shall be presently tried by the discretion of the Justices.

II. If he alledge not a good cause, or it to go against him, the Inquest shall be forthwith taken.

III. *Stat. 7. H. 7. 5. Riens Diens le Garde* shall not be admitted for challenge in *London*.

IV. *Stat. 33. H. 8. 23.* Peremptory challenge shall not be admitted in cases of high treason, or misprision of treason.

V. *Stat. 1. E. 6. 12.* All Statutes made during the Reign of *H. 8.* touching challenges and foreign pleas are confirmed.

Champertic.

I. *West. 1. 25. 3. E. 1.* No Officer of the King shall maintain plea of lands or other things to have part thereof, or other profit by Covenant betwixt them made, in pain to be punished at the Kings will.

II. *West. 2. 49. 13. E. 1.* The Chancellor, Treasurer, Justices, or any of the Kings Council, Clerk of Chancery, Exchequer, or of any Justice, or other Officer, or any of the Kings house, Clerk, or Lay, shall not receive any Church or Advowson, Land or Tenement in fee, by gift, by purchase, to farm, by Champerty, or otherwise, so long as the same thing is in plea, nor shall take any reward thereof; in pain to be punished at the Kings will, both buyer and seller.

III. *Stat. 20. or 21. E. 1. Made at Barwick.* The attainted of Champertic shall suffer three years imprisonment, and be finable at the Kings will, where you have also the form of a writ for remedie thereof to be issued out by *Gilbert de Thorneton*.

IV. *Artic. super Cart. 11. 28. E. 1.* None shall take upon him a businesse in suit with an intent to have part of the thing sued for; neither shall any upon any such covenant give up his right to another; in pain that the taker shall forfeit to the King so much of his lands and goods as do amount to the value of the part so purchased for such maintenance, to be recovered by any that will sue for the King in the Court where the plea hangeth.

V. This

V. This shall not prohibit any to take counsel at Law for the fee, or of his parents or friends.

VI. **Stat. 33. E. 1. Anno Domini, 1304.** Champertors are such as move pleas and suites, or cause them to be moved, either by themselves or others, and prosecute them at their own charge to have part of the thing in variance, or part of the gains.

VII. **Stat. 33. E. 1. Anno Domini, 1305.** None of our Court, or Pleaders, Attourneys, Stewards, Bailiffs, or any other shall take any plea or suit to Champerty, or for maintenance; in pain that they together with the consenters thereunto shall suffer three years imprisonment, and be fined at the Kings will. See also there the form of a writ for the same purpose, and also against Conspirators.

Chancery.

I **Artic. super Cart. 5. 18. E. 1.** The Chancellor and the Justices of his Bench shall follow the King, to the end he may have always neer him such as be learned in the Lawes, to order matters that shall come to the Court.

II. **Stat. 36. E. 3. 9.** Whosoever findeth himself grieved with any Statute shall have his remedy in the Chancery.

Chelsey.

I. **Stat. 7. Ja. 9.** A Colledge shall be erected at Chelsey, and a trench shall be made to convey water from the river of Lee to London, to maintaine the same.

Chester and Cheshire.

I. **Stat. 1. H. 4. 18.** If any Inhabitant of the County of Chester commit murder or felony in another County, processs shall be made against him to the *Exigent* in the County where the offence was done, and if he then fle into Cheshire, the *Exigent* or Outlawry shall be certified to the Officers of Cheshire, who shall thereupon take the offender and leize his lands and tenements and goods and chattels for the Princes use; the King also shall have his year, day, and Waste; likewise his lands and goods in other Counties shall remain forfeit to the King and other Lords, having thereof Franchise. The like processe and proceeding shall be also had against the offender in battery or trespassse so committed, and his goods

goods and chattels shall be forfeited to the King, Prince, or Lords respectively, as aforesaid.

I I. **Stat. 27. H. 8. 5.** Justices of Peace, *Quorum*, and Gaoler-delivery are to be nominated and made in *Chester*, and *Wales*, by the Lord Chancellor, or Keeper of the great Seal of *England*, in like manner as within the Realm of *England*: which Justices shall certify their extracts, and the several Sheriffs make their accounts as in the said Statute is directed.

I II. The Justices and Clerks of the Peace shall have like fees as in *England*, and inferior officers shall be attendant to the Justices.

I V. **Stat. 32. H. 8. 43.** Sessions shall be kept by the Justices for the time being in the County of *Chester* twice in the year onely, viz, at *Michaelmas* and *Easter*-Sessions; and the order of keeping the County-dayes shall cease.

V. **Stat. 33. H. 8. 13.** The Sheriffe of the County of *Chester* shall keep his County-Court monethly in the Shire-hall of the said County.

V I. The Justicer or his Deputy may keep their two Sessions at what time of the year they please, so they cause them to be proclaimed 15 dayes before.

V II. **Stat. 34. H. 8. 13.** The County of *Chester* shall have two Knights, and the City of *Chester* two Burgeses for the Parliament.

V III. No writ of Course in the nature of a Protection shall be granted in the County Palatine of *Chester*.

I X. **Stat. 2. E. 6. 31.** All recognisances of Statutes Merchant, &c. acknowledged before the Major of *Chester* shall be good in Law.

X. **Stat. 43. El. 15.** Fines may be levied before the Major of the City of *Chester* for lands lying there,

X I. A *Dedimus potestatem* may be granted by the Major of *Chester* to take the acknowledgement of a fine.

X II. Howbeit Fines taken before the Major may (upon error) be reversed before the High Justice of the County Palatine of *Chester*.

Church-yards.

I. **Stat. Ne rectores prosterant Arbores in cæmeterio 35. E. 1.** Parsons of Churches shall not cut down trees growing in the Church-yards, unlesse for the necessary repair of the Chancel, or (in charity) of the body of the Church. Ci-

Cirographers.

I. **Stat. 2. H. 4. 8.** The Cirographer or his Deputy shall take but 4 s. for a fine, in pain to forfeit his office, be forejudged the Court, suffer a years imprisonment, and pay treble damages to the partie grieved, to be recovered before the Justices of the same Court.

Citation.

I **West. 2. 43. 13. E. 1.** Hospitallers and Templers shall draw none into suit before the keepers of their priviledges, neither shall their keepers cite any to the prejudice of the King or Crown.

II. **Stat. 23. H. 8. 9.** None shall be cited to appear out of the Diocesse, or peculiar jurisdiction where he or she dwelleth, except by some Ecclesiasticall or other person within the Diocesse or other jurisdiction whereunto he is so cited for some offence or cause committed or omitted contrary to right or duty, or upon an appeal or other lawful cause, or when the Judge dares not or will not cause him to be cited, or is any way party to the suit, or at the instance of the inferiour Judge to the superiour, where the Law civil or Canon doth allow it, and all this, in pain to forfeit double damages to the party grieved, and 10 l. to the King to be divided betwixt him and the prosecutor.

III. The Archbishop may cite for heresie in any Diocesse within his Province upon consent or neglect of the Bishop or Judge there.

IV. This Act shall not restrain the Jurisdiction of the Prerogative Court for probate of testaments.

V. The Ecclesiasticall Judge shall take but 3 d. for a citation upon the pains aforesaid.

Clapboard.

I. **Stat. 35. El. 11.** For every six tun of Beer exported, the same Cask, or as good, or 200 of Clapboard fit to make cask shall be imported, or (if they be transported into *Ireland*) 200 of Shaffold board, which Clapboard or Shaffold board by a stranger shall be left here before the beer be exported, but by a subject shall be left here or provided within four moneths after.

II. The Clapboard shall contain 3 foot 2 inches (at least) in length, and the Cask shall be entred at the Custome-house.

III. The

I II. The same Law for strangers that transport fish in cask; and the penalty of breaking these Laws is the forfeiture of the Beer, Fish, and Cask.

I V. None shall transport any Wine-cask, with Beer or Beerager or Wine-cask shaken, except for victualling of a ship or other vessel, or some of her Majesties Garrisons beyond sea, in pain to forfeit 40 s. for every tun of Cask so transported.

V. This Act shall not prohibit the transportation of Herrings in Casks.

Clergy.

I. *West. 1.2.3.E.1.* A Clerk convicted for felony, and delivered to the Ordinary, shall not be enlarged without due purgation.

II. *Stat. de Bigamis 5.4.E.1.* *Bigamus* shall not be allowed Clergy.

III. *Artic. Cleri, 15.9.E.2.* A Clerk flying into the Church for felony shall not be compelled to abjure.

IV. *Artic. Cleri, 16.9.E.2.* The privilege of the Church being demanded by the Ordinary shall not be denied to a Clerk, that hath confessed felony, who is called an appealor or approvor.

V. *Stat. 18.E.3.pro Clero, 2.* Bigamie shall not be tried by Inquest, but by certificate from the Ordinary, untill which time the party shall remain in prison, unless he be bailable.

VI. *Stat. 25.E.3.pro Clero. 4.* Every Clerk convicted of any treason or felony (not touching the King himself) shall be delivered to the Ordinary.

VII. *Stat. 25.E.3.pro clero, 5.* A Clerk shall be arraigned of all his offences at once.

VIII. *Stat. 4.H.4.2.* The words *Insidiatores viarum & depopulatores agrogum* shall not be put in Indictments or appeals.

IX. Clerks shall be allowed their Clergy, notwithstanding an Indictment hath the words aforesaid inserted in it.

X. *Stat. 4.H.4.3.* A Clerk convicted shall make purgation according to a constitution made by *Simon* Archbishop of *Canterbury*.

XI. *Stat. 4.H.7.13.* The benefit of Clergy shall be allowed but once.

XII. A convicted person shall be marked openly before the Judge upon the brawn of his left thumb, *viz.* with an *M.* for murder, and with a *T.* for any other felony.

XIII. He that is within orders upon asking of his Clergy, shall

shall shew his orders, or his Ordinaries certificate.

XIV. Stat. 12. H. 7. 7. No Lay-person that doth murder his Lord or Master, shall have his Clergy.

XV. Stat. 23. H. 8. 1. None (except Clerks within orders) which by the Law shall be found guilty of petty treason, murder, sacrilege, burglary, robbery, or house-burning, nor their accessaries shall be admitted to the benefit of Clergy.

XVI. A Clerke within orders being principal or accessory to any of the offences above-said, shall not be admitted to his purgation, nor be enlarged by the Ordinary, untill he shall have bound himself with two good sureties before two Justices (1. Qu.) to be of good behaviour.

XVII. This Act shall give no benefit to any person which after outlawry or attainder for felonie or murder are admitted to their Clergy, but that such shall still remain in the custodie of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convict person and send him to the Kings Bench, where the Justices shall have power to give judgement upon him, according to which he shall be executed.

XIX. Stat. 23. H. 8. 11. A convict person within orders shall be delivered to the Ordinary, there to remain without any purgation; yet may the Ordinary (in that case) degrade him and send him to the Kings Bench, where the Justices may proceed against him as before.

XX. Stat. 25. H. 8. 3. None shall have benefit of Clergy, which, being accused of any of the offences mentioned in the 23. H. 8. 1. are found guilty, stand mute, challenge above twenty, or answer not directly; albeit the offence were committed in another County, then where they were tried.

XXI. Stat. 26. H. 8. 12. A remedy where there be no Justices of Peace in that County in *Wales*, where the Clerk convict doth remain in prison.

XXII. Stat. 28. H. 8. 1. Such as be within holy orders shall receive no other benefit of Clergy then others do, Stat. 32. H. 8. 3.

XXIII. Stat. 37. H. 8. 8. None attainted for horse-stealing shall have the benefit of Clergy. See 2. 3. E. 6. 33.

XXIV. Stat. 1. E. 6. 12. All Felons shall have the benefit of Clergy, save onely such as are found guilty of murder, poysoning, burglary, robbery, horse-stealing, or sacrilege, or which upon their arraignment for any of the same offences confesse the same, stand mute, or make no direct answer thereunto. See also for
horle-

horse-stealing the Statute of 2. 3. E. 6. 33.

XXV. This Act shall not extend to Treason, petty Treason, or misprision of Treason.

XXVI. A Peere of the Realme for his first offence of Felonie, though he cannot read, shall be admitted to his purgation, as a Clerke convict.

XXVII. *Bigamus* being a Felon, shall be admitted to his Clergie, as well as any other.

XXVIII. Stat. 5. 6. E. 6. 9. Clergie shall not be admitted to a Burglar, although the offence be committed without the notice of the owner, children, or servants, any of them being within the house, or precincts of the same; so it is also for Burglarie committed in Booths or Tents.

XXIX. Stat. 5. 6. E. 6. 10. The Statute of 25 H. 8. 3. shall stand in force concerning the triall of offenders in another County, then where the offence was committed, notwithstanding the Statute of 1 E. 6. 12. which seemes to take away the force thereof, so that such an offender shall not have his Clergie, albeit the trial happen to be in another County then where such offence was committed.

XXX. Stat. 4. 5. P. M. 4. Accessaries (before the fact) which are found guilty of petty treason, murder, burglary, robbery, or house-burning, or which upon their arraignment for these offences stand mute, challenge above twenty, or answer not directly, shall not enjoy the benefit of Clergy.

XXXI. In this case Peeres shall be tried by their Peers.

XXXII. Stat. 8. El. 4. None that takeh any thing privily or feloniously from the person of another, or upon his arraignment shall confesse the same, not answer directly, stand mute, challenge above twenty, or be outlawed for it, shall have the benefit of his Clergy.

XXXIII. One delivered to the Ordinary and admitted to his Clergy, shall (notwithstanding his purgation) answer for offences formerly committed.

XXXIV. Stat. 18. El. 7. None shall have Clergy, that committeth Rape or Burglary.

XXXV. An offender, admitted to his Clergy, after burning in the hand shall not be delivered to the Ordinary, as hath been used, but shall thereupon be enlarged by the Justices, before whom such Clergy shall be granted, or by them detained longer in prison at their discretion; so it be not for longer time then one whole year.

XXXVI. To

XXXVI. To know a woman carnally under the age of ten years is felony.

XXXVII. One admitted to his Clergy shall nevertheless answer for other felonies.

XXXVIII. *Stat. 39. El. 9.* He that taketh away a woman against her will (having lands or goods, or being heir apparent to her Ancestor) contrary to the *Stat. of 3 H. 7. 2.* or being arraigned for such offence, stands mute, answers not directly or challengeth above 20, shall not have the benefit of Clergy.

XXXIX. The same law against procurors and accessaries before such offence committed.

XL. *Stat. 39. El. 15.* Clergie shall not be allowed to any that feloniously takes away anything in the day-time, amounting to the value of 5 s. out of any dwelling house or out-house, albeit no person be within or neere the same.

XLI. *Stat. 1. Ja. 8.* He that stabs or thrusts any person, not having a weapon drawn, or not striking first, so that he dies thereof within six moneths after, although it be not of malice fore-thought, shall not enjoy the benefit of Clergy.

XLII. This Act shall not extend to charge any of stabbing or thrusting, when it is done only *se defendendo*, by mis-fortune, or in chastising his childe, or servant, with no purpose to commit Manslaughter.

XLIII. *Stat. 21. Ja. 6.* For felony, where the man may have his Clergy, the woman shall be burned in the hand with an iron,

Clerks of the Chancery.

I. *Stat. de Sacramento Clericorum Cancellaria, 18. E. 3.* The forme of the oath of the Clerks of the Chancery.

II. *Stat. 14. H. 8. 8.* The six Clerks of the Chancery may marry wives, and yet enjoy their offices.

Clerk of the Crown.

I. *Stat. 2. H. 4. 10.* When divers persons are joyntly indicted, the Clerk of the Crown shall take but one fee, *viz. 2 s.* for them all, and not severall fees for each person.

Clerk.

Clerk of the Market.

I. Stat. 13. R. 2. 4. The Clerk of the Market of the Kings house shall execute his office duely, and all false weights and measures shall be burnt.

II. The said Clerk shall take no common fine, but every one shall be punished according to their demerit.

III. He shall not ride with above six horse, and shall tarric no longer in a place then need requires.

IV. If he offend against this law, he shall pay to the King for the first time 5 l. for the second 10 l. and for the third 20 l.

V. Stat. 16. Car. 19. There shall be one weight and one measure according to the Standard of the Exchequer throughout the Realm, and every measure of corn shall be striked without heap.

VI. whosoever shall sell, buy, or keep any other weight or measure, whereby any thing is bought or sold after six moneths after this Sess. of Parliament shall forfeit for every such offence 5 s. being thereof lawfully convicted by the oath of one witnesse before a Justice of Peace, Major, or other Head-officer (in their severall Precincts respectively) who shall have power to administer an oath in that behalf, which said forfeiture shall be levied by the Church-wardens & overseers of the poor (or one of them) where the offence shall be committed, to the use of the poor there, by distress and sale of goods, rendering the overplus to the party offending; and in default of distresse the Justice, Major, or Head-officer may commit the offender to prison, untill he shall pay the summe so forfeited.

VII. The Clerk of the Market of the King or Princes houshold, & his Deputies, shal onely execute their offices within the verge, & not elsewhere: And Head-officers of Corporations, and Lords of Liberties, and their Deputies may execute theirs in their severall Precincts, as they might have done before this Act was made.

VIII. If any of the officers aforesaid shall seal any weight or measure, which is not agreeable to the said Standard, or shall refuse to seal such as are agreeable thereunto (the party paying onely such fees for the allowance thereof as are warranted by Statute, or some ancient custom) they and their Deputies (respectively) shall for every such offence forfeit 5 l. to be levied, as aforesaid, to the use of the poor where the offence was committed.

IX. If they shall take any other fine, fee, reward, or summe of money, then what are allowed by Statute, or some such ancient cu-

some, for the signing or examination of any weights or measures which have been formerly marked or sealed, or shall impose any fine or amerciamment without a legal trial of the offence, or shall otherwise misdemean themselves in the execution of their office, and shall be thereof lawfully convicted, they shall forfeit for the first offence 5 *l.* for the second 10 *l.* and for every other offence 20 *l.* to be levied as aforesaid, to the use of the poor where the offence was committed.

X. He that is fined or amerced by this Act, shall not be again punished for the same offence by force of any former Law or Statute.

XI. This Act shall not extend to the measure of rent-corn, nor to water-measure.

XII. If any officer authorized to execute this Statute shall be impleaded for any Act he shall do therein, he shall plead the general issue, *not guilty*, and yet give this statute or any other special matter in evidence: And if he be found not guilty, or the plaintiff be non-suited, he shall recover treble costs.

Clerks of Signet and Privie Seal.

Stat. 27. H. 8. 11. How and in what manner the Kings grants, writings and leases shall passe the privie Signet, the privie Seal, and the Great Seal; and in what time they shall passe those Seals; and forfeitures set upon the Clerks of the privie Signet, and privie Seal, for not doing their dutie; and what fees they shall take for those writings, and what fees shall be paid to any person for the same; and how and where such writings shall come to the great Seal, with an immediate warrant, and not passe the Signet or privy Seal, and what fees shall be then paid therefore; and how and under what Seals the Kings leases, grants, and writings of lands or offices of the County Palatine or Duchie of Lancaster shall passe; and what grants, leases, or writings for the King may be made without his warrant, and divers Articles at large concerning these matters; for which see the Statute it self at large.

Collectors

I. Stat. 18. H. 6. 5. None appointed to be a Collector of a fifteen in a City or Borough shall be also Collector in the same County, unless he may dispend in the County out of such City in lands 5 *l.* *per annum*, above all reprises.

Common

Common Pleas.

I. **Magna Cart.** 11. 9. H. 3. Common Pleas shall not follow the Court, but shall be holden in some place certain.

II. **Artic. super Cart.** 4. 28. E. 1. Common Pleas shall not be holden in the Exchequer, contrary to the forme of the Great Charter.

Commission and Commissioners.

I. **Stat.** 42. E. 3. 4. Commissions of Inquiries shall be made to the Justices of the one Bench or of the other, Justices of Assize, Justices of Peace, with others of the most worthy in the Countrey, save in the office of the Escheatorship.

II. **Stat.** 4. H. 4. 9. If any be distrained by writ out of the Exchequer for not returning a Commission, which never came to their hands, the Chancellor of England (calling to him some of the Justices, and the chief Baron, if need be) hath power to give remedy therein.

III. **Stat.** 7. H. 4. 11. Commissioners not receiving a Commission shall be discharged thereof upon oath.

IV. The Barons of the Exchequer have power to administer the oath, and to discharge them thereupon.

V. The Barons of the Exchequer and the Justices of either Bench have also power (by *dedimus potestatem*) to receive such oaths in the Countrey, and the Justices shall make certificate thereof into the Exchequer, and thereupon also the Barons shall discharge the Commissioners, their heirs, executors and land-tenants.

VI. Such oaths are not to be taken but in case of Commissions of *Oyer and Terminer*, and of inquiry and certifying only.

Conditions.

I. **Stat.** 32. H. 3. 34. Grantees of Reversions may take advantage of conditions and covenants against the Lessees of the same lands, as fully as the Lessors, their heirs or successors, might have done.

II. Lessees may also have the like remedy against the grantees of reversions, which they might have had against their lessors or grantors, their heirs or successors: all advantage of recoveries in value, by reason of any warranty in deed or law by voucher or otherwise only excepted.

Confirmation.

I. **Marlb.** 5. 52. H. 3. The Great Charter, and that of the forest, shall be duely observed, and inquired of before the Justices in Eyre, and the Sheriffes in their Counties, and the offenders shall be grievously punished by the King.

II. **Stat.** 25. E. 1. *cap.* 1. 2. 3. & 4. The Great Charters are confirmed, Judgements given against them shall be void, they shall be read in all Cathedral Churches, and excommunication shall be pronounced against the breakers of them.

III. **Artit. supz. capit.** 1. 28. E. 1. The Great charter, and that also of the forest shall be duely observed.

IV. They shall be read four times in the yeare in a full County-Court, *viz.* at the Counties after *Mich. Christm. Easter, and St. John Baptist.*

V. There shall be three Knights, or other substantial men chosen by the Commonaltie in every County, to hear plaints concerning the charters, and to determine them without such delay as is used at the common law; But they shall not in their proceeding prejudice the common Law, or the charters.

VI. They shall have their power by the Kings writ under the great Seal, and the Sheriffes, and Bailiffes shall be attendant upon them.

VII. **Stat.** 1. E. 3. 1. The great Charter and that of the forrest shall be duely kept, and put in execution. See *Ann.* 2. 4. 5. 10. 14. 28. 31. 36. 37. 42. and 45. E. 3. *cap.* 1. and 50. E. 3. *cap.* 2. And *Ann.* 1. 2. **Stat.** 2. 5. 6. **Stat.** 1. *cap.* 1. 7. *cap.* 2. 8. and 12. R. 2. *cap.* 1. Also *Ann.* 1. 2. 4. 7. 9. and 13. H. 4. *cap.* 1. Likewise *Ann.* 4. H. 5. *cap.* 1.

VIII. **Stat.** 10. E. 3. 1. All Statutes not repealed shall be kept, and put in execution. See also 28. 36. 37. and 38. E. 3. *cap.* 1. And 1. 2. *Stat.* 2. 35. 6. *cap.* 1. 7. *cap.* 2. 8. 9. & 12. R. 2. *cap.* 1. And 15. R. 2. *cap.* 1. And 1. 2. 4. 7. 9. and 13. 4. H. 5. *cap.* 1.

IX. **Stat.** 42. E. 3. If any Statute be made contrary to *Magna Carta* or *Carta de foresta*, it shall be void.

X. **Stat.** 1. H. 4. 4. The Parliament holden in *Ann.* 11. R. 2. shall be holden and kept according to the purport thereof, as a thing done to the great honour and common profit of the Realm.

XI. **Stat.** 1. E. 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, process in Court, &c. made in the times of H. 4. H. 5. and H. 6. And all grants and letters Patents (of divers things mentioned in the said Act)

Conspiracie.

Act) made by any of the said three Kings, See the Statute at large.

XII. The confirmation of divers particular Statutes, See under their proper titles.

Conjuration, Enchantment, and Witchcraft.

I. Stat. 1. Jac. 12. If any shall be convicted to have used any invocation or conjuration of any evil spirit, or to have consulted, covenanted with, entertained, imployed, feed, or rewarded, any such Spirit, or taken up any dead person, or the skin, Bone, or other part thereof, to have used in Witchcraft, Sorcery, charm, or enchantment, or to have used any of the said Arts to kill, consume, and lame any person, they together with their accessaries before the facts, shall suffer as Felons without benefit of Clergy.

II. If any shall be convicted to have by Witchcraft, Sorcery, Charm, or Enchantment, undertaken to tell where any treasure, or goods lost or stolen may be found, or are become, or to provoke any to unlawful love, or to destroy or hurt any Cattel, Goods, or person; Albeit the same be not effected; they shall for the first offence suffer one yeares Imprisonment without baile, once every quarter of that yeare stand six houres upon the Pillory in some open Faire, or Market, and there make open confession of the offence committed; And for the second offence shall suffer as Felons without benefit of Clergie.

III. But in these cases shall be no losse of dower, or disherison of heire; And a Peere (being an offender) shall be tried by his Peers.

Conspiracie.

I. Artic. sup. Cart. 10. 28. E. 1. Against Conspirators, false Informers, and Imbraccors of Inquests, the King hath provided a writ in the Chancery; And the Justices of either Bench, and Justices of Assize, shall upon every plaint thereof award Inquests thereupon without writ.

II. Stat. 33. E. 1. Conspirators are such as binde themselves by Oath or other alliance falsely and maliciously to indict, and falsely to move and maintain pleas, and such as cause children within age to appeal men of felony, and retein men to maintain their malicious enterprizes: And this extendeth as well to the takers as givers; and also Stewards and Bailiffes, who by their power maintain debates, that concern not their Lords but other parties.

III. **Stat. 7. H. 5.** Whereas divers have been indicted for treasons and felonies supposed to be committed in places, there being none such to be found; every Justice having power to hear and determine such offences by the oath of twelve men (whereof each shall have freehold within the County of the yearly value of $\text{5} \text{ } l.$ besides all reprises) shall before exigent inquire of office, whether there be (indeed) any such places or no: And if there be no such place or places in the County, where such appeals or indictments are made, they and the proceſſe thereupon shall be void; and the Indictors shall be punished by imprisonment, fine and ransome at the discretion of the said Justices; and if any exigent be awarded before such inquisition, it shall be also void: This Act to continue in force until the next Parliament.

III. **Stat. 9. H. 5. 1.** The Stat. of 7. H. 5. shall continue in force untill the next Parliament after the Kings return from beyond Sea.

V. **Stat. 18. H. 6. 12.** The Statute of 9. H. 5. 1. made perpetual, because (H. 5. dying beyond Sea) some were of opinion it was expired.

Constable and Marshal.

I. **Stat. 8. R. 2. 5.** The Constable and Marshal shall not have connuſance of pleas or ſuits, which ought to be diſcuſſed at the Common Law.

II. **Stat. 13. R. 2. Stat. 1. 2.** The Constable of England hath cogniſance of things concerning Armes and War, which cannot be diſcuſſed by the Common Law.

III. In this Court the Plaintiff ſhal plainly declare his matter in his petition before the defendant be ſent for.

IV. When a plea is commenced before the Constable and Marshal which may be tried at the Common Law, the party grieved ſhall have a privie Seal to cauſe the Constable and Marshal to ceaſe, untill it may be decided by the Kings Council, whether it may be tried there, or at the Common Law.

Contra formam Collationis.

I. **Stat. 2. 41. 13. E. 1.** If Lands given to Abbies, Priories, Hospitals, or other religious houſes, or to maintain a Chantry, a light or Almes be aliened, the King ſhall ſeize it, and the purchaser ſhall loſe both the land and his money.

II. If

Cordwainers, Curriers, Tanners, &c. 71

I I. If the house were founded by a subject, he shall recover the land by a writ, *which see in the Statute at large.*

II I. If it were given to maintain a Chantery, a light, or Almes, and not aliened, but the duty withdrawn two years together, the donor or his heir shall recover it by *Cessavit.*

Conufance.

I. **Stat. 9. H. 4. 5.** Where in assizes and pleas of land or rent within Franchises and ancient demesne against certain persons, the names of the Majors, Bailiffs, or Communalities in Franchises, and of the Lords or Bailiffs in ancient demesne, are therein also by collusion inserted, supposing them also to be disseisors, or tenants of the land, and with purpose to exclude them from the conufance of the matter in plea, which by reason of their franchises and liberties ought to be discussed before them, in such Assizes and writs the Justices shall (upon request) first inquire by the same Assize, whether they be (indeed) disseisors or tenants, or whether their names be inserted by fraud, as aforesaid.

II. If it shall be found by fraud the Assizes or writs shall abate, and the Plaintiffs shall be grievously amerced; notwithstanding there be others named therein, who are in truth disseisors or tenants.

III. **Stat. 8. H. 6. 26.** In Assizes or personal actions if the defendant make default by collusion, with purpose that Majors, Bailiffs, or other Communalities, or Lords and Bailiffs should lose their jurisdictions, the Justices shall (upon request) inquire thereof by Assizes or inquests, where both the Plaintiffs and the owners of such franchises and liberties, may have their challenges: And if collusion be found the writs shall abate, and the Plaintiffs shall be amerced.

Copiholds.

I. **Stat. 7. Ja. 21.** Compositions made by decrees in the Exchequer, and Duchie Chambers with the Kings Copihold tenants concerning their Copiholds within three years from the first day of this Parliament are confirmed, saving the right of all others.

Cordwainers, Curriers, Tanners, and Leather.

I. **Stat. 27. H. 8. 14.** None shall pack any leather to be transported

ported but by a Packer sworn in pain to forfeit the leather, or the value thereof: And every stranger shall pay for the custome of a Dicker of leather 4 s. 9 d. and a Denizen 4 s. 1 d.

II. The Customers and Controulers shall name and appoint a Toller in every Port where none are, and shall also give him his oath for the due execution of his office in the presence of the Customer and Controuler, or their Deputie or Deputies.

III. The fee for tolling leather is for every Dicker of a stranger 6 d. whereof the Toller is to have 2 d. and the Commualty there the rest: of a Denizen 4 d. to be divided betwixt the Toller and the Commualtie; and of a Free-man of the Port 2 d.

IV. The Customers and Controulers shall also appoint and swear a packer in every Port respectively, who may put up in one pack as many Dickers under seven, as the owner of the leather pleaseth; and his fee is 4 d. a packe.

V. If the Packer pack any leather before it be toll'd and entred by the Customer or his Deputy, or pack more then shall be entred, he shall forfeit for every such offence 5 l. and suffer imprisonment at the Kings pleasure; and if the Toller number any leather in the absence of the Customer, Controuler, or his or their Deputy, or Deputies, he shall forfeit five marks.

VI. If any stranger or his Factor convey any leather from one Port to another with an intent to transport it also afterwards from the second Port, he shall cause the same to be toll'd, entred, and packed at the second Port, and shall have a certificate thereof from the Customer there, in pain to forfeit the same, or the value thereof.

VII. None having a Tan-house shall transport any leather (without the Kings licence) in pain to forfeit the same, or the value thereof.

VIII. These forfeitures shall be divided betwixt the King and the prosecutor.

IX. This Act shall not prohibit a Captain of a Ship of the Kings in time of war, nor the owner or master of a ship bound for a Voyage to take salt hides with them, so they exceed not the number of 18: Also untann'd hides of beasts kill'd in *wales* or the Marches may be transported notwithstanding this Act, except by one keeping a Tanhouse.

X. Stat. 5. E. 6. 15. None shall buy or ingrosse leather, to the intent to sell the same again, in pain to forfeit the same leather, or the value thereof to be divided betwixt the King and the prosecutor or seizor.

XI. This Statute shall not restrain Girdlers or other Artificers, to sell their necks, wombs, or shreds, nor the buying of so much leather, as the partie, which buyes it, hath licence to transport.

XII. None shall transport any Shoes, Boots, Buskins, Start-rups,

rups, or Slippers, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the prosecutor, or seisor.

XIII. No Girdler or other cutter of leather shall curry it in his own house in pain to forfeit the same, to be divided betwixt the King and the prosecutor.

XIV. Stat. 1. M. Parl. 2. 8. No artificer using the Mystery of leather-buying, shall buy any leather and sell the same again to be transported, in pain to forfeit the same, to be divided betwixt the King and the prosecutor.

XV. Curriers in London shall use their own Stuffle, in pain to forfeit the leather otherwise curried.

XVI. No currier shall curry any Hides betwixt St. James-tide and the Ladie-day, but only such as have bee sufficiently dipped twice in the pan, in pain to forfeit the same to be divided, as aforesaid.

XVII. A Currier shall dresse his Leather within the space of five daies in Summer, and of ten daies in Winter, in pain to forfeit to the party grieved for every Hide otherwise dressed 10 s.

XVIII. Stat. 5. El. 22. None shall make any Pelts, viz. pull or take away any wool from any Sheep, or Lamb-skin, or buy any kinde of Stag, Hinde, Buck, Doe, Goat, Fawn, or Kid, or the pelts of any of them, unless they make thereof tawed, or leather lawfully tanned, or parchment, or otherwise convert the same into semits, Pannels, or other their own necessary uses, in pain to forfeit the value of such skins, and 2 s. 6 d. for each skin otherwise used.

XIX. Stat. 18. El. 6. None shall ship any Leather, Tallow, or raw Hides (except Scotch Hides, according to the proviso of 5. El. 8. now repealed by 1. Ja. 22.) in pain to forfeit the same and the treble value: And the owner of the ship knowing the same to forfeit his ship and the furniture thereof; and the Master thereof also knowing the same to forfeit all his goods and to suffer one years Imprisonment without Baile: The forfeitures are to be divided betwixt the King and the prosecutor.

XX. If the Owner, Master, or Mariner within three moneths after his knowledge thereof, or his return into England shal upon oath discover it *bona fide* to one of the Barons of the Exchequer, either of the Lords presidents, or an head-officer of the Port where he lands, & afterwards shall be ready to justify it, he shall be therupon excused.

XXI. He that transports any Leather, Tallow, or raw hides, (otherwise then according to the aforesaid proviso) shall pay by the name of Subsidie 10 s. for every hide, 3 s. 1 d. for every dozen of calf-skins, and 6 s. 8 d. for every 100 weight of Tallow.

XXII. The Customers, &c. shall be accomptable to the Queen for

for the said subsidie, and shall pay the same unto her, upon the pain contained in 3. H. 6. 3.

XXIII. Stat. 1. *Ja.* 22. None shall gash any Hide in pain of 20 *d.* nor water them except in *June*, *July*, and *August*, nor put them to sale being putrefied, in pain to forfeit for every Hide so watered or put to sale, 3 *s.* 4 *d.*

XXIV. None shall kill any Calves under five weeks old, in pain to forfeit for every Calfe so killed 6 *s.* 8. *d.*

XXV. No Butcher shall exercise the mystery of a Tanner, in pain of 6 *s.* 8. *d.* for every day he so continues both professions.

XXVI. None shall be Tanners, but such as have served seven years as Apprentices, or hired servants in that trade, or the Widow, or children of a Tanner having a Tanne-far left them, and having been brought up in that Profession by the space of four years, in pain to forfeit all the Leather they Tanne, or the full value thereof.

XXVII. None that useth the cutting or working of Leather shall be a Tanner, in pain to forfeit all the Leather he Tannes, or the value thereof.

XXVIII. None shall buy any rough Hides, or Calfe-skins in the haire, but only such as do or may lawfully Tanne them (except salt Hides for the necessary use of Ships) in pain to forfeit them or their just value; Neither shall any forestall Hides, but buy them in open Faire or Market (except of such as kill beasts for their own provision) in pain to forfeit for every Hide otherwise bought 6 *s.* 8. *d.*

XXIX. None shall buy any tanned Leather unwrought, but only such as will, and shall convert the same into made wares.

XXX. This Act shall not restraine Artificers from buying tanned Leather every Munday at Leaden Hall, to be converted into made wares, being first duely searched, sealed, and registred, as hereafter is limited; Nor Girdlers or Sadlers from selling their Necks, or shreds of tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or useth in his tanning any thing save Ash-barke, Oak-bark, Tapwort, Malt, Meale, Lime, Culver-dung, or Hen-dung, or suffers them to be frozen, or to be parched with the fire or Sun, or tannes such as are rotten by long lying, or otherwise, or continues not uttersole Leather twelve moneths in the woozes, and upper leathers 9 moneths, or doth negligently work his Hides in the woozes, not renewing and strengthening them, as often as need shall require, or doth work them in any other sort then is by this Statute limited, shall forfeit

feit every Hide so tanned and put to sale, or the full value thereof.

XXXII. No tanner shall by mixtures raise any Hide for sole-Leather, which shall not be fit for that use, in pain of forfeiting the same.

XXXIII. None shall put to sale any tanned Leather red, and unwrought, but in open Faire or Market, unlesse the same hath been searched, and sealed in some Faire or Market before; Neither shall any offer to sell any such Leather, before it be searched and sealed, in pain to forfeit for every Hide otherwise put to sale 6 s. 8 d. and for every dozen of Calf-skins, or Sheep-skins, 3 s. 4 d. besides the Hides and skins themselves, or the full value thereof.

XXXIV. None shall put to sale any Leather insufficiently tanned or dried, in pain to forfeit the whole, or at least so much as shall be so misused.

XXXV. No Tanner shall hasten the tanning of his Leather by giving it unkind heates with hot woozes, or otherwise, in pain of 10 l. and to stand upon the Pillory three dayes, in the next Market.

XXXVI. None shall buy or Ingrosse Bark to the intent to sell the same again, in pain to forfeit it, or the value thereof; Neither shall any fell Oak-trees apt for barking, where bark is worth 2 s. the cart-load. (Timber for the necessary repaire of houses, Ships, and Mills excepted) but only betwixt the first of *April* and the last of *June*, in pain to forfeit the trees otherwise felled, or the double value of the same.

XXXVII. Purveyors of trees, for the Kings use, shall fell them only in barking time (except for the present repaire of the Kings houses or ships) and shall take no more thereof from the owner, then what may serve the Kings present occasion, in pain to forfeit to the party grieved for every tree, & for the lop, top, or bark of every tree taken contrary to this Act 40 s. And it shall be lawful for the owner to retain the lop, top, and bark of every such tree.

XXXVIII. A Currier shall not curry a Hide or skin which is not sufficiently tanned and dried, and that in his own house, situate in some Corporate or Market-towne, and not elsewhere; Neither shall he gash, or any other way spoil or impair them, but work them sufficiently in all points; in pain to forfeit for every skin or Hide so spoiled (otherwise then by gashing in shaving them) 6 s. 8 d. besides the value of the same skin or Hide, and for gashing them to forfeit to the partie grieved twice so much, as he impaires them thereby.

XXXIX. No

76 Cordwainers, Curriers, Tanners, &c.

XXIX. No Artificer within *London* or three miles distance from it, shall put any leather to be curried, save only to some person free of the Company of Curriers in *London*; in pain to forfeit the same, or the value thereof.

XL. None within the foresaid Jurisdiction of *London*, shall use or put into made wares any curried leather, before the same be searched and sealed, in pain to forfeit for every Hide or skin 6 s. 8 d. and also the value of every such Hide or skin.

XLI. A Currier shall not use the Art of a Tanner, Cordwainer, Shoemaker, Butcher, or of any other Artificer, which useth the cutting of leather; in pain to forfeit for every Hide or skin he currieth during that time, 6 s. 8 d.

XLII. No Currier (sufficient stuffe being tendered unto him) shall refuse sufficiently to currie leather within eight dayes in Summer, and sixteen daies in Winter, after he shall or may take it in hand, in pain to forfeit for every Hide or piece of leather, not curried accordingly 10 s.

XLIII. The Wardens of the Company of Curriers (or officers by them appointed) shall within one day after request made unto them, search and seal leather curried, for which the Currier shall pay after the rate of 1 d. for every dicker of Hides, and as much for every six dozen of Calf-skins. And the Currier shall forfeit for every Hide not searched and sealed, as aforesaid 6 s. 8 d.

XLIV. Shoemakers shall make their Boots, &c. of good and sufficient Stuffe, sew them well, and not put them to sale upon Sundayes, in pain to forfeit for every such default or offence 3 s. 4 d. And also the full value of all wares otherwise made or sold.

XLV. The Masters and the Wardens of the Company of Shoemakers, Curriers, Girdlers, and Sadlers within the Jurisdiction of *London* aforesaid or the more part of them, shall once every quarter (or oftner if need require) make search and view of all wares made of tanned leather, in pain to forfeit 40 s. for every yeares default, to be divided betwixt the King and the prosecutor, and shall also have power, to seize all insufficient wares found upon search.

XLVI. The said Masters and Wardens shall only search the wares of such as are of their own professions, and Coach-makers shall be under the survey, and search of the company of Sadlers.

XLVII. The Major and Aldermen of *London* shall (within the said jurisdiction, and upon the like pain of 40 s. to be employed as aforesaid) choose and swear eight expert men out of some of the four Companies aforesaid, to be searchers and sealers of all tanned leather there, whereof one shall be assigned to keep the seal.

XLVIII.

XLVIII. Head-officers in corporate and Market-towns, and Lords of Liberties shall yearly in all other parts of the Kingdome (upon the like pain of 40 s. to be imployed as aforesaid) appoint and swear two, three, or more honest and skilfull men, to be searchers and sealers of leather, who shall have power to seal sufficient wares, and likewise to seize and reteine such as be insufficient, until they shall be tried by triers to be hereafter appointed by this Act.

XLIX. There shall be appointed six triers of insufficient leather and leather-wares, which shall be seized within the said Jurisdiction of *London*; And when any such leather or wares are seized within any other Jurisdiction, the Chief-officer or Lord of the Libertie or his Deputie, shall cause trial thereof to be made by the Oath of six honest men, upon some Market-day, and within fifteen daies after such seizure made.

L. The Lord Major of *London*, and the head-officer, and Lord or deputie aforesaid, shall appoint triers in their severall Jurisdiction in pain of 5 l. to be divided betwixt the King and the prosecutor; And these Triers shall do their duties in that office without delay, in pain to forfeit for every default 5 l.

LI. Four of the Triers in *London* shall be yearly changed, and other four placed in their rooms, and none shall continue in that office there above two years, and if any happen to be Trier two years together, he shall not be chosen again within three years after, in pain to forfeit for every moneth he continues otherwise in that office 10 l.

LII. No searcher or sealer of leather shall refuse within convenient time to do his office, or allow any wares which are insufficient in pain of 40 s. and shall not take bribes or exact more then due fees, in pain of 20 l. nor being lawfully elected shall refuse the office in pain of 10 l.

LIII. All red tanned leather which shall be brought within the aforesaid jurisdiction of *London* shall be carried to *Leaden-Hall* before it be housed, and there searched, sealed and registred by the officers aforesaid, for which if it were sealed before (out of the said jurisdiction) they shall take half fees only.

LIV. None shall sell any tanned leather within the aforesaid jurisdiction of *London*, before the officers there have searched and sealed it in pain to forfeit the same, or the value thereof.

LV. None shall withstand these searchers and sealers in the due execution of their office, nor the seizing of insufficient wares in pain of 5 l.

LVI. The

78 Cordwainers, Curriers, Tanners, &c.

L V I. The abovesaid searchers and sealers shall register all tanned leather sold in Fairs or Markets, together with the prices thereof, and the names and dwelling places of the buyer and seller (being thereunto required by the said buyer and seller) taking as well of the buyer as of the seller 2 *d.* for every ten hides, backs, or butts of leather, and 2 *d.* for every six dozen of Calf-skins, or Sheepskins, and no more.

L V I I. None shall sell any tanned leather (red and unwrought) before it be registred in pain to forfeit the value thereof.

L V I I I. None shall buy any tanned leather before it be searched and sealed, nor carry it out of the Fair or Market before it be registred in pain to forfeit the same, or the value thereof.

L I X. The Currier within the jurisdiction of *London* aforesaid, which currieth not his leather sufficiently, and every other Artificer there (using tanned and curried leather) which putteth into his wares leather insufficiently tanned or curried, shall forfeit for every such default the said wares and the just value thereof.

L X. No such Artificer shall sell any wares but in open Shop, Fair or Market, where due search may be made, in pain to forfeit the wares otherwise sold. and besides ten shillings for every such offence.

L X I. Here the summes of money aforesaid forfeited shall be divided into three parts, whereof the King is to have one, the prosecutor another, and the City, Corporation, or Lord of the Liberty the third.

L X I I. The value of the wares forfeited within the jurisdiction of *London*, after praisement shall also be divided into three parts, whereof one shall be given to the seisor, another to the Chamber of *London*, and the third to the poor: And in all other places, one third part to charitable uses, another to the Head-officer, or Lord of the Liberty, and the third to the seisor or seisors for his or their pains.

L X I I I. None shall buy any forfeited wares to sell them again, in pain to forfeit for every parcel thereof 3 *s.* 4 *d.*

L X I V. This Act shall not prejudice the authority of the Universities, so that their officers observe the provisions of this Act, under the penalties therein contained.

L X V. The hides or skins of Oxe, Steer, Bull, Cow, Calf, Deer, Goats, and Sheep, being tanned or tawed, and salt hides are reputed leather within the letter of this Statute.

L X V I. Justices of Assize, of Gaol-delivery, and of Peace,
Stew-

Stewards of Leets, the Major of *London* and Head-officers within their several Precincts have power to hear and determine these offences.

LXVII. The Kings Steward of a Leet or Liberty shall have the same authority, and be subject to the like penalties that a Lord of a Leet hath and is subject to.

LXVIII. It shall be lawfull for all Artificers (save only Shoemakers between *September* and the twentieth of *April*) to use dry, curried, and frised leather, being well tanned according to this Act.

LXXIX. This Act shall not extend to *Wales*.

LXX. If any Customer or other such Officer, having notice of the transporting of any leather, do not use his best endeavour to seize it, or being transported do not disclose it within forty dayes, he shall forfeit for the first default 100 *l.* and for the second lose his place: And every such officer for making a false certificate of the arrival of any leather shall also forfeit 100 *l.*

LXXI. This Act shall not extend to Scotch hides brought to *Barwick*,

LXXII. Licences to dispence with the offences prohibited by this Act shall be void.

LXXIII. Stat 4. Jac. 6. There shall be no penalty for housing, buying, or selling Sheep-skins unsealed.

LXXIV. None shall sell tanned leather by weight, in pain to forfeit the same, or the value thereof, to be divided between the King and the prosecutor.

Corn and Grain.

I Stat. 5. El. 12. None but a married man and householder of the age of 30 years (at least) shall take upon him to be a Badger, Lader, Kidder, Carrier, Buyer, or Transporter of Corn or Grain, Butter and Cheese; Neither he without licence in open Scff. of the County where he hath dwelt by the space of three years before, under the hands and seals of (at least) three Justices (1 Qu.) in pain of 5 *l.* which licence shall remain in force for one year onely from the date thereof: And all licences otherwise granted shall be void.

II. The Justices of Peace in Sessions shall (at their discretions) take recognisances of Badgers, &c. that they shall not forestall or ingrosse, or put in practice any Act contrary to 5, & 6. E. 6. 14.

III. The

III. The Clerk of the Peace shall write and enter the licence and recognizance, and his fees shall be, *viz.* for writing the licence 12 *d.* for writing the recognizance 8 *d.* and for entering them both in a Register-book 4 *d.* which Book he shall bring to every Sessions.

IV. This shall not give liberty to any Badger, &c. to buy grain out of open Fair or Market (to sell again) unless there be special words in his licence to warrant the same, in pain to forfeit for every time so offending 5 *l.*

V. These forfeitures are to be divided betwixt the Queen and the prosecutor.

VI. The Queens moiety shall be estreated according to the usual manner, and the prosecutors levied by *feri facias* or *capias*; but when the suit is wholly the Queens, the whole shall be estreated for her use.

VII. Justices of Peace have power to hear and determine these offences in Sessions by inquisition or verdict; or otherwise upon the oath of two witnesses (at their discretions) and to make process thereupon.

VIII. This Act shall not restrain Purveyors of Cities and Towns Corporate, neither yet the Inhabitants of the Counties of *Westmerland, Cumberland, Lancaster, Chester* and *York*.

IX. *Stat. 13. El. 13.* For the increase of tillage, and the maintenance of the Navie and Mariners, the Lord Presidents, and the Councils in the North and *Wales*, Justices of Assize in their Circuits and Justices of Peace in their sessions have power to licence or prohibit the transportation of grain at their discretions; Provided, their order be first approved by the Queen or her Council, which also may be countermanded by the Queens Proclamation, if there be cause for it

X. *Stat. 3. Car. 4.* Corn may be transported to the Kings Allies, when Wheat is sold for 32 *s.* Rie for 20 *s.* Beans for 16 *s.* and Barley or Malt for 16 *s.* the quarter, or under.

Coroner.

I. *West. 1. 10. 3. E. 1.* Sufficient men of the most wise and discreet Knights shall be chosen in all Counties for Coroners.

II. The Sheriffs shall have counterparts with the Coroners of all things, which concern their office.

III. They shall take nothing of any man to do their office, in pain of great forfeiture to the King.

IV. *Stat.*

I V. Stat. 4. E. 1. *Officium Coronatoris* : see the Statute at large.

V. Stat. *de Exonia, de inquisitione super Coronatores*, 14. E. 1. See the Statute at large, together with the Articles thereunto annexed.

VI. Stat. 14. E. 3. 8. A Coroner shall have sufficient in the County whereof to answer all people.

VII. Stat. 28. E. 3. 6. Coroners shall be chosen in the full Counties, of the most convenient and lawfull men; saving unto the King and other Lords (that may make Coroners) their Franchises.

VIII. Stat. 1. H. 8. 7. Where one is slain by misadventure, the Coroner shall execute his office without fee, in pain of 40 s.

IX. Justices of Assize and Peace have power to inquire of, and punish the defaults and extortions of Coroners.

Corporation.

I. Stat. 19. H. 7. 7. Corporations shall not make or execute any Ordinances in diminution of the Perogative of the King or of other, or against common profit, except approved by the Chancellor, Treasurer, and the chief Justices, or three of them, or by the Justices of Assize, in pain of 40 l.

II. They shall make no ordinance to restrain suits in the Kings Court, upon the like pain of 40 l.

III. Stat. 22. H. 8. 4. They shall take but 2 s. 6 d. for the first entry of an Apprentice, and 3 s. 4 d. for his entry of freedom, in pain of 40 l. to be divided betwixt the King and the prosecutor.

IV. Stat. 28. H. 8. 5. No Corporation shall by oath or bond restrain any Apprentice or Journe-man from keeping Shop, or take money of them for their freedom, or the occupying of their profession, otherwise then as is limited by 22. H. 8. 4. in pain of 40 l. to be divided, as aforesaid.

V. Stat. 33. H. 8. 27. In Acts to be done by Corporations, the consent of the greater part shall binde, and the Oath taken by them to the contrary shall not be observed.

VI. No person shall hereafter give any such oath, in pain of 5 l. to be divided betwixt the King and the prosecutor.

*Corpus cum causâ, Certiorari, Habeas Corpus,
& Superfedeas.*

I. Stat. 2. H. 5. Sta. 1. 2. If a *Corpus cum causâ* or *Certiorari* be granted out of the Chancery to remove one that is in prison upon an execution at another mans suit, he shall be remanded.

II. Stat 43. El. 5. No writ of *Habeas corpus*, or other writ sued forth to remove an Action shall be allowed, unless it be delivered unto the Judge, or officer of the Court before the Jury appear, and one of them be sworn.

III. Stat. 21. Jac. 8. Proceſſe of the peace and good behaviour shall not issue out of the Chancery or Kings Bench, but upon motion in open Court and good cause shewed upon oath, which shall also be indorsed upon the writ: Howbeit if that cause shall be afterwards disproved, the Judge or Judges of the said Courts (respectively) shall commit the offender to prison, till he pay the party grieved all his costs and damages.

IV. All writs of *superfedeas* shall be void, unless such proceſſe be likewise granted upon motion, as aforesaid, and upon such sufficient sureties, as shall appear to the Court upon oath to be subsidemen, assessed at 5 *l.* lands, or 10 *l.* goods; and also, unless the prosecution against the partie for the peace or good behaviour be *bona fide*: and here, false sureties procured for the gaining of such writs shall be punished by the Judges.

V. *Certioraries* shall not be allowed, unless the Indicted will become bound with sufficient sureties (such as the Justices of Peace in Session shall like of) to pay to the prosecutor within one moneth after conviction such costs and damages as the said Justices shall assess.

VI. Stat. 21. Jac. 13. No writ to remove a suit commenced in an Inferiour Court shall be obeyed, unless delivered unto the Steward, &c. of the same Court before issue or demurrer joyned; so that such issue or demurrer be not joyned within six weeks after the arrest or apparance of the defendant.

VII. An Action or suit once remanded shall never afterwards be again removed.

VIII. When the thing in demand exceedeth not 5 *l.* the suit shall not be removed by any writ, save onely by writs of error or attain.

IX. This Act shall onely extend to Courts of Record, where an Uter-barister of three years standing is Judge, Recorder, Steward, or, &c. or assistant to such officer there and not of Council in any action there depending.

Counterfeit Letters.

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X. Neither shall this Act extend to any action, which cannot be tried in such Inferiour Courts.

Cofinage, Ayel and Besayel.

I. *West. 2. 20. 13. E. 3.* In writs of *Cofinage, Ayel* and *Besayel*, the tenants answer (that the plaintiff is not next heir of the same Ancestor, by whose death he demandeth the land) shall be admitted and inquired, and according to the same inquisition the Justices shall proceed to judgement.

Cottages.

I. *Stat. 31. El. 1.* None shall erect or convert a building to be a cottage for habitation, unlesse he lay four acres of freehold land of inheritance so neer unto it, that they may be conveniently occupied therewith, in pain to forfeit 10 *l.* to the Queen for every such erection or conversion, and 40 *s.* a moneth for the continuance.

II. No owner or occupier of any Cottage shall place or willingly suffer any more families then one to co-habit therein, in pain to forfeit to the Lord of the Leet 10 *s.* for every moneth he so continues them together.

III. Justices of Assize, Justices of Peace in their Sessions and Lords of Leets have power to hear and determine these offences.

IV. This Statute shall not extend to Cottages in Cities, Burroughs, or Market-Towns or provided for labourers in Mines or Quarries within one mile from such Mines or Quarries, or for Seafaring men within one mile of the Sea, or a Navigable River, or for a Keeper, Warriner, Shepherd, or Herdsman, or for an impotent person, nor to any cottages, which upon an order by Justices of Assize in open Assize, or Justices of Peace in Sessions shall be decreed to continue for habitation, for so long time onely, as by such decree they shall be tolerated.

Counterfeit Letters.

I. *Stat. 33. H. 8. 1.* If any shall falsly obtain any money or other thing by colour of any false token or counterfeit letter, they being thereof convicted by witnesses or confession before the Lord Chancellor, the Lords of the Council in the Star-chamber, Justices of Assize, Justices of Peace, or by action in any Court of Record, shall suffer such punishment as shall be adjudged by the person

son or persons before whom they shall be so convicted, the pains of death only excepted.

II. Justices of Assize and Justices of Peace (i. *Qu.*) shall have power to convert (by proceſſe, or otherwise) to the Ass. or Sess. respectively any person suspected to offend in that kinde, and to commit or bail him untill the Ass. or Sess. or otherwise to order him at their discretions.

III. Justices in Corporations have like authority for the punishment of such offenders, as Justices of Ass. or P. have in their severall Precincts respectively.

IV. The remedy of the partie grieved by way of action is saved.

County and Turn.

I. *Magna Carta*, 35.9.H.3. County-Courts shall be held from moneth to moneth, or longer, if formerly so used; and the Sheriff (or his Bailiff) shall keep his Turn in the Hundred at the usual place, and that onely twice a year, *viz.* after *Easter* and *Michaelmas*; Leets also shall be at *Michaelmas* without occasion.

II. *Parl.* 10. 52. H. 3. Archbishops, Bishops, Abbots, Priors, Earls, Barons, or Religious men or women are not to appear at the Sheriffs Turns, except for some other cause; and such as have Hundreds of their own shall not be bound to appear at such Turns, but only in the Bailiwicks where they dwell.

III. *West.* 2. 32. 3. E. 1. No Sheriffe shall suffer Barrettors or Maintainers of quarrels, or Stewards of great Lords, or other (unlesse Attourney for his Lord) to make suit, or to give judgements, in the Counties, or to pronounce them, if he be not required so to do by all the suitors and Attourneys of the suitors there present, in pain that both the Sheriff and they shall be grievously punished by the King.

IV. *Stat.* 31. E. 3. *Stat.* 1. 15. Every Sheriffe shall hold his Turn yearly one time within the moneth after *Easter*, and another time within the moneth after *Michaelmas*, in pain to lose his Turn for the time.

V. *Stat.* 19. H. 7. 24. The Shire-Court for *Suffex* shall be holden onc time at *Chichester*, and the next time at *Lewis*, *alternis vicibus*, in pain that the Courts otherwise kept, and the things there transacted shall be void.

VI. *Stat.* 2. 3. E. 6. 25. County-Courts shall be adjourned from moneth to moneth, and no longer.

VII. The Sheriffe of *Northumberland* shall keep his County Court at *Almewicke* and not elsewhere.

Coupers.

I. Stat. 23. H. 8. 4. A Beer or Ale-Brewer shall neither by himself, nor others (for his use) make any vessel, whereby they shall put their Beer or Ale to sale: but such onely as shall be made and marked as is hereafter expressed, in pain to forfeit for every vessel so made 3 s. 4 d.

II. Coupers shall make their Beere and Ale-vessel of good, and seasonable wood, and put their proper marke thereupon.

III. A Beer-barrel shall contain at least 36 gallons, a Kilderkin 18 and a Firkin 9 And an Ale-barrel 32 gallons, a Kilderkin 16 and a Firkin 8 all of the Kiugs Standard gallon; And if the Couper make any bigger or lesser, he shall set the true content upon them. Also the Couper shall not inhance the prices of his vessel, in pain to forfeit for every such vessel defective or inhanced in price 3 s. 4 d. viz. for a beer barrel 9 d. a beere kilderkin 5 d. and a beer firkin 3 d. also for an ale barrel 16 d. an ale kilderkin 9 d. and an ale firkin 5 d.

Note, that this clause for so much as concerns the prices of vessels, is repealed by 8. El. 9. but qu. whether it doth not yet stand in force for defective vessels. vide 8. El. 9. infra.

IV. No Beer or Ale-Brewer, put shall any Beer or Ale for sale in any vessel, which is not marked by the Couper, and of the contents above limited.

V. Beer and Ale Brewers, shall sell their Beer and Ale at such rates, as shall be thought fit (in the Countrey) by the Justices of P. and (in Corporations) by the head-officers; in pain to forfeit for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and for every greater vessel 10 s. and every lesse 12 d.

VI. The forfeitures abovesaid, shall be divided betwixt the King and the prosecutor.

VII. Every Soap-maker shall cause his vessel to be made as followeth, viz. every empty Barrel to containe 32 gallons, and to weigh 26 pounds, the content of the half Barrel to be 16 gallons, and the weight 13 pound, and the content of the Firkin 8 gallons, and the weight six pound and an halfe; in pain to forfeit for every vessel otherwise ordered 3 s. 4 d.

VIII. The Wardens of the mystery of Coupers within the City of London (taking with them an officer of the Major) shall have power to search and gage all vessels made for Ale, Beer, and Soap,

to be put to sale within *London*, and the Suburbs, and within two miles compasse without the Suburbs (as well within liberties as without) and to examine their contents and weight, and (being found right) to marke them with *St. Antonies* crosse: which searchers shall have for their fee, a farthing for every vessel to be paid by the owner thereof, and may retaine the vessel until the fee be paid: And if any be found defective, they have power to amend, or burn them, and the owner of such defective vessel shall forfeit 12 *d.* to be disposed; as aforesaid.

I X. In other places where thre are no Wardens, the head-officers shall do it, and shall have the like power and advantage, as those of *London*.

X. This shall not prohibit a Beer-brewer to keep in his house a servant or two to mend his vessels.

X I. If any shall diminish a vessel, by taking out the head, or a stasse thereof, the vessel shall be burnt, and the offender shall forfeit 3 *s.* 4 *d.* (to be disposed, as aforesaid) and shall be farther punished at the discretion of the Head-officers.

X I I. An Ale-brewer may also retaine a Couper in his service to mend his vessels.

X I I I. Every Couper shall make his Ale-vessel according to the Assize exprest in the treatise called *Compositio mensurarum*, viz. every 8 gallons thereof to containe a bushel, according to the Assize limited by that Ordinance (which was made 51 *H.* 3.) in pain to forfeit for every vessel otherwise made 3 *s.* 4 *d.* to be disposed as aforesaid.

X I V. Every Couper shall marke his vessel with his own marke, in pain of 3 *s.* 4 *d.* to be levied and recovered as abovesaid.

X V. The Searchers shall not put out the Ale to measure the vessel, whereby it may be made worse.

X V I. This shall not prohibit to carry Ale to the houses of his Majesty and Honourable persons in greater vessels, as Buts, Pipes, &c. And Ale-brewers may convey Ale to any mans house in Barrels, Kildekins, and Firkins, being the due content.

X V I I. Stat. 8 *El.* 9. So much of the Statute of 23. *H.* 8. 4. as concernes the prices of vessels, is repealed.

X V I I I. Coupers shall sell their vessels at such rates as shall be yeerely assessed (in Corporations) by the head-officers, and (in the Countrey) by the Justices of P. (or the more part of them) in the Session after Easter.

X I X. If (after proclamations of the rates so assessed) any
Couper

Couper shall sell otherwise, he shall incurre such penalties, as by the said Statute of 23. H. 8. 4. is ordained, viz. for every Barrel, Kilderkin, and Firkin 3 s. 4 d to be imposed and disposed, as in the same Statute is exprest for selling such vessel above the due price.

Courts.

I. In the time of H. 8. there were (amongst others) three new Courts erected, viz. those of the Augmentations, First-fruits and Tenths and general Surveyors; But these were afterwards annexed to the Exchequer, by divers Acts of Parliaments, and letters Patents of H. 8. and Qu. M. nevertheless in some of these Acts there remains yet somewhat in force, as hereafter followeth,

II. Stat. 33. H. 8. 39. All obligations and specialties concerning the King, shall be made to him and his heires, Kings in his own name, by these words, *Domino Regi*, and to no other person, and then for payment, *Solvendum Domino Regi, heredibus, vel executoribus suis*, with other words used in common Obligations; and such Obligations shall be of the nature of Statutes staple: and if the King die leaving such Obligations, they shall remain to his heires or executors at the Kings pleasure.

III. If any take Obligation, that concern the King in, another manner, they shall suffer imprisonment, as shall be ordered by the Kings Council.

IV. All suits for the Kings debts in any Court mentioned in this Act, upon any Obligation or specialty delivered before this Act, or to be delivered before the second day of May next, shall be prosecuted in the Kings name, to what person soever such Obligation or specialty were made; And they shall be of the nature of Statutes Staple, as before.

V. The King in all suites for debt, shall recover his costs and damages.

VI. Suites for the Kings debts, shall be in the proper Courts where they shall be due, whether it be, the Exchequer, Dutchie, Augmentations, Surveyors, Wards & Liveries, First-fruits and Tenths, or any of them; out of which such process shall issue for the speedy recovery of them, as the Court shall think fit.

VII. The said Courts shall have power to heare and determine all actions, defaults, offences, and other things, which shall arise, upon any matter committed to the governance of the same Courts wherein the King shall be only party; And also all estates for

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Term of yeares betwixt partie and partie concerning the premises (all treasons, felonies and estates of freehold, and Inheritance (other then Jointures for term of life) onely excepted.)

VII I. If any person shall make title to any lands, sold or exchanged to any in fee-simple, or feetail, by the Kings letters Patents, upon which a rent is reserved to the King, his heires and successors, in the Court of Augmentations, or shall demand any rents, annuities, officers fees, or other profits, out of lands in fee-simple, or in fee-taile comprised in any letters patents; or if the King shall make like title or claime to any lands of Inheritance, or profits out of lands, assigned to the said Court in any Letters Patents: that the said Court or the more part of them, shall heare and determine such titles and claims, and (without other warrant) make recompence to the partie grieved.

IX. If any decree of the Court of Augmentation, for any of the premises extend onely to the losse of the Patentee, for the life of the demandant or plaintiffe, or for term of years; then shall the Chancellor of that Court (without any other warrant) make recompence in money or out of lands limited to the survey of the same Court.

X. The foresaid Courts shall have power to set fines and amer-ciements, and upon trials and other proceedings there to examine by such proofs, and in such manner as they shall think fit, and the proceedings and decrees of the said Courts shall be effectual in law.

XI. The Chief Officers of those Courts may (without any other warrant) discharge all bonds and recognisances there hanging, the debts being satisfied and the conditions performed; and may also make void all recognisances for appearance or other contempt.

XII. If any person to whom the King hath granted (with reservation of rent) any lands of inheritance, or for life within the survey of any of the said Courts, do not pay yearly unto the Treasurer or Receiver general of the said several Courts at the day limited, or within three moneths after, all summes of money so reserved, or make sufficient tender thereof unto the said Treasurer or Receiver, he shall forfeit so much as the fourth part of the said yearly rent shall amount unto: and if he pay not the rent and money forfeited, as aforesaid, within six moneths, he shall forfeit so much as half the rent amounts unto; and for every half year after shall forfeit so much as the whole years rent doth amount unto.

XIII. The Treasurer or Receiver general may distrain for the said rents and forfeitures, and the Head officers of the said Courts may issue out process: for the recovery of the same at their discretions.

XIV. A

XIV. A Treasurer or Receiver general or particular shall signe with his own hand a lawful acquittance ready made to be signed by him without any fee, in pain of 40 s. to be divided betwixt the King and the prosecutor; and if the Treasurer, or Receiver, or their Clerks make and signe one, they shall take but 4 d. for it, in pain to forfeit 20 s. for every acquittance for which they take more, to be divided as aforesaid: And every acquittance shall be a sufficient discharge according to the tenor thereof.

XV. If any Receiver or his Clerk pay a pension or other annuity or rent, and have a sufficient acquittance signed, sealed and delivered unto him by the party that is to receive such payment, he shall take nothing for such acquittance, in pain to forfeit 20 s. and if the Receiver or Clerk provide such acquittance, he shall not take above 4 d. for the same, in pain to forfeit also 20 s. neither shall the Receiver or his Deputy take above the rate of 4 d. in the pound for money which he shall so pay, in pain to forfeit 6 s. 8 d. for every peny he takes above; The said forfeitures are to be divided betwixt the King and the prosecutor,

XVI. The Auditor that takes above 3 s. 4 d. for inrolling any Patent, decres, or grant shall forfeit 6 s. 8 d. for every peny so taken, to be divided, as aforesaid: and he shall inroll them (being tendred unto him) or as much thereof as concernes his office.

XVII. Auditors shall cause Proclamation to be made in four Market-Towns twenty dayes (at least) before their coming into the County to keep their *Audit* in pain of 5 l.

XVIII. Auditors shall send out their precepts for the Audit betwixt *Michaelmas* and *Christmas*.

XIX. An Accomptant that (after notice) doth not appear at the *Audit*, or appearing refuseth to accompt, or accompting defers to pay his charge to the Receiver above three weeks after, or conceals or withdrawes any rent or other profit, shall forfeit his office and fee, and for concealing or withdrawing shall forfeit three times so much as is concealed or withdrawn; proof of the said defaults being made to the Head-officer of any of the said Courts; and the said Courts shall thereupon award proceſſe in the nature of Attachments for remedy thereof.

XX. In all Actions for debts accruing to the King upon attainder, outlawry, forfeiture, gift or other collateral way, it shall be sufficient to shew generally, that the party unto whom such debt did belong, such year and day did give it to the King, or was attainted, outlawed or other act committed, whereby it came to the King, without alledging the particular circumstances; And in such case

case the King shall be preferred both in suit and execution before any other person whatsoever.

XXI. Lands of inheritance, which were the Kings debtors, are chargeable with the Kings debts, unto whomsoever (after the debtors death) they shall descend, remain or come.

XXII. The Kings debts are payable by the heir, though he be not named in the recognisance, bond or other specialty, and notwithstanding the lands which comes unto him be intailed.

XXIII. The executor and administrator are also chargeable, if they have assets.

XXIV. This Act shall not prejudice any, who claim the lands chargeable by any just and former title without fraud.

XXV. Upon sufficient cause shewed, why the lands should not be charged, the Court shall discharge them of the Kings debt.

XXVI. If the lands chargeable be in several mens tenures, they shall be intirely charged, and not severally.

XXVII. This Act shall not diminish any of the liberties, or privileges of the Duchie or County Palatine of *Lancaster*.

XXVIII. All proceſſe and executions for debts growing in the Exchequer shall be made by the officers of that Court, but in such kinde as is limited by this Act.

XXIX. *Stat. 1. M. Parl. 1. 10.* The Queen may by her letters patents alter, dissolve, or reduce into one or more the Courts of Augmentations, First-fruits and tenths, Wards, Surveyors, and the Duchie; or may annex any of them together, or unto any other Court of Record; or erect of the same any other new Court or Courts.

XXX. Provided, that nothing in the said Letters patents to be contained, shall charge the subject otherwise, then as he ought to have been charged before the second day of this Parliament; and that the officers of the said Courts shall not hold plea, but only where the Queen is party against any of her subjects.

XXXI. Provided also, that if the Queen shall annex any of the said Courts to the Exchequer, all things within the survey of the Court or Courts so annexed shall be ordered the Exchequer-way; saving to all persons their offices, rents, annuities, and fees, to be paid out of any of the Queens Courts, where there shall be sufficient revenue to answer the same.

XXXII. *Stat. 16. 10. Car. 17.* The Court of Star-Chamber, the Courts holden before the Presidents & Councils in the Marches of *Wales* and the Northern parts, the Court of the Duchy of *Lancaster* holden before the Chancellor and Council of that Court, the

Crossebowes and Handguns.

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the Court of Exchequer of the County Palatine of Chester holden before the Chamberlain and Council of that Court, and all other Courts of like jurisdiction; and also all warrants and directions of the Council-board for commitments, restraints, or imprisonments awarded by the King or his Council are absolutely dissolved, annulled, and made void. *See the Statute at large.*

XX XII. Stat. 16. 17. Car. 15. An Act made against divers incroachments and oppressions in the Stanary Courts : *See the Statute at large.*

Crossebowes and Handguns.

I. Stat. 33. H. 8. 6. None shall shoot in, or keep in his house any Crossebowe, Handgun, Hagbut, or Demihake, unlesse his lands be of the value of 100 *l. per annum*, in pain to forfeit 10 *l.* for every such offence.

II. None shall shoot in, or have any Handgun under the length of one yard, nor Hagbut or Demihake under the length of three quarters of a yard, in pain to forfeit 10 *l.* and it shall be lawful for any man, having lands of 100 *l. per annum*, to seize any such gun or any crossebowe used or kept contrary to the forme of this Statute; but then he ought to break them within 20 dayes after, in pain of 40 *s.*

III. None shall travel with a crossebowe bent, or gun charged, except in time of war, or shoot within a quarter of a mile of a City, Burrough, or Market-Town, except for the defence of himself or his house, or at a dead mark, in pain of 10 *l.*

IV. None shall command his servant to shoot in any gun or crossebowe, except at a dead mark, or in time of war, in pain of 10 *l.*

V. The penalties abovesaid shall be divided betwixt the King and the prosecutor.

VI. Howbeit the followers of Lords (spiritual or temporal) Knights, Esquires, Gentlemen, and the Inhabitants of Cities, Burroughs or Market-Towns may keep in their houses and use to shoot (but at a dead mark onely) with guns not under the lengths abovesaid : so may the Owner of a ship for the defence of his ship : and also he that dwels two furlongs distant from a Town, or within five miles of the Sea-coast; and this last may shoot at any wilde beast or fowl, save onely Deer, Heron, Shovelard, Fesant, Partridge, Wilde Swan, or Wilde Elke.

VII. Those which have power from the King to take away guns and

and crossebowes in forests, parks, and chases may retein the same, notwithstanding this Act; so likewise may Smiths and Merchants, that make or sell them, the severall lengths abovesaid be duely observed.

VIII. It shall be lawfull for any person to convey the party offending against this Act before the next Justice of Peace, who upon due examination and proof shall have power to commit him to prison, there to remain till he hath satisfied the penalty, which in this case shall be divided betwixt the King and the party that takes the offender.

IX. Every Placard granted by the King, which expresseth not at what beasts or fowl the grantee shall shoot, and where the grantee entreteth not into a recognisance of 20 l. in the Chancery to shoot at no other shall be adjudged void.

X. Justices of Peace in Sessions, and Stewards of Leets have power to hear and determine these offences.

XI. When the conviction is in Sessions, the whole forfeiture is to be levied to the Kings use; when in a Leet, the one half is the Kings, and the other half ought to be divided betwixt the Lord and the prosecutor,

XII. Here if a Jury shall willingly conceal any thing, the Justices or Steward have power to impanel another Jury, by whom if the first Jury be found guilty of concealment, they shall forfeit 20 s. a piece, viz. to the King, if it be in Sessions, but if in a Leet, then the one half to the Lord, and the other half to the prosecutor.

XIII. Forfeitures arising by this Act shall be sued for, viz. by the King within one year, and by a common person within six moneths, otherwise they shall be lost.

XIV. A servant upon command may use his Masters crossebowe or gun (not prohibited by this Act) so as he shoot at no fowl, deer, or other game; and may also by a licence in writing carry it to any place to be amended.

XV. Stat. 2. 3. E. 6. 14. None under the degree of a Baron shall shoot in any Handgun within any City or Town at any fowl whatsoever, or with any hail-shot, in pain of 10 l. and three moneths imprisonment.

XVI. This Act shall not restrain those, who according to the value of their land are authourized to shoot by 33. H. 8. 6. so that they forbear to use any hail-shot; and all others that presume to shoot shall present their own names, viz. (in a Corporation) to the Major or Head-officer, and (in the County) to the next Justice of Peace, in pain of 20 s. and the said Justice or Head-officer is to see

them recorded at the next Sess. in like pain of 20s. which forfeitures are to be divided betwixt the King and the prosecutor.

Crosses.

I. *21. 23. 13. E. 1.* Lands where Crosses be set, with purpose that the tenants thereof should defend themselves against the chief Lord or Lords by the priuiledges of Templers and Hospitalers, shall be forfeited as lands aliened in Mortmain.

Crown.

I. *Stat. 14. E. 3.* The Realm and people of *England* shall not be subject or obedient to the King or Kingdome of *France*.

II. *Stat. 7. H. 4. 2.* The Crown of *England* and *France* were intailed to the King and his four sons by name.

III. *Stat. 35. H. 8. 1.* The Crown of *England* is intailed to the Kings daughter the Lady *Mary*, the remainder to the Lady *Elizabeth*, the remainder to such as the King by his Letters Patents, or last will in writing should limit.

IV. *Stat. 1. El. 1.* No forreign Potentate or person shall exercise any power within any of the Queens dominions, and all Ecclesiastical Jurisdiction is annexed to the Crown; so that the Queen and her successors by Letters Patents may authourize any subject born to exercise the same.

V. For the better observance of this Act every Ecclesiastical person, and every officer both Ecclesiastical and Temporal, and all the Queens servants are enjoined to take the Oath following:

VI. I A. B. do utterly testifie and declare in my conscience, that the Queens Highness is the onely Supreme Governour of this Realm, and of all other her Highness Dominions and Countreys, as well in all Spiritual or Ecclesiastical things or cases, as Temporal; and that no forreign Prince, Person, Prelate, or Potentate hath or ought to have any Jurisdiction, Power, Supremacie, Prebeminencie, or Authority Ecclesiastical or Spiritual within this Realm, and therefore do utterly renounce and forsake all forreign Jurisdiccions, Powers, Superiorities and Authorities, and do promise that from henceforth I shall bear faith and true allegiance to the Queens Highness, her Heires and lawful successors, and to my power shall assist and defend all Jurisdiccions, Priuiledges, Prebeminencies, and Authorities, granted or belonging to the Queens Highness, her Heirs and Successors or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.

VII. He

VII. He that refuseth this oath shall forfeit his Spiritual or Temporal promotion or office during his life: and every person before he be admitted to any such promotion or office shall take the said oath before such persons as shall have authority to minister the same; and in case he refuse it, he shall be adjudged incapable of such promotion or office.

VIII. Every person suing livery or *Oustre le main*, doing homage to the Queen, received into the Queens service, taking orders or degrees in the University shall take the said oath; the first three before the Lord Chancellor or Keeper of the Great Seal; the fourth before the Ordinary or Commissary, and the last before the Chancellor or Vice-chancellor, or their Deputies.

IX. Provided, if any having a temporal office of Inheritance shall at first refuse to take the said oath, and yet doth afterwards take it, he shall be restored to his office.

X. None shall affirme or maintaine the power or jurisdiction of any forreign Prelate or Potentate within the Queens dominions, in pain to forfeit all his goods and chattels; and if he be not worth 20*l.* at the time of his conviction, he shall forfeit all he hath, and besides suffer one whole years imprisonment without bail: and here for the second offence he shall incur a *Præmunire*, and for the third shall be adjudged guilty of High Treason: but this offence must be prosecuted within one year after it is committed: and if the offence be by preaching, teaching, or words onely, the prosecution by indictment shall be within six moneths, otherwise the offender shall be set at liberty.

XI. If he be a Clergie-man beneficed, upon the first conviction all his spiritual promotions shall be void.

XII. A Peer of the Realm guilty of such an offence shall be tried by his Peers.

XIII. No Act for any matter of Religion, or cause Ecclesiastical made by this Parliament shall be adjudged any errour, heresie, or Schisme: neither shall any person, to whom the Queen, her heirs and successors shall give authority to execute spiritual jurisdiction, have power to adjudge any matter to be heresie, save onely such as have been so adjudged by Can. Scripture, or by one or more of the general Councils, or shall be so adjudged by the Parliament with the assent of the Clergie in their Convocation.

XIV. No person shall hereafter be indicted or arraigned for any of the offences made by this Act, but by two or more sufficient witnesses to be produced *viva voce* to testifie the same.

XV. No person shall be questioned for relieving, aiding, or comforting

for any such offender, unless it be testified by two witnesses (at least) that at the time of such relieve, &c. he had notice of the offence committed.

XVI. Stat. 1. El. 3. The Parliament acknowledge the Queen to be right heir to the Crown, and promise to defend her and the heires of her body in that estate.

XVII. The limitation of the Crown contained in 35. H. 8. 1. shall stand and remain law for ever, and all clauses of statutes and other things, heretofore passed against the same, shall be void.

XVIII. Stat. 5. El. 1. None shall maintaine the jurisdiction of the Bishop or See of Rome within any of the Queens dominions, in pain to incurre a *premunire*, both they and their accessaries.

XIX. Justices of Ass. and Just. of P. in Sess. or any two of them (1. 24.) have power to hear and determine this offence, and are to certifie such presentments into the Kings Bench within 40 dayes after they receive them, if it shall be then Term-time; if not, then, the first day of the Term then next ensuing, in pain of 100*l*. The Justices of the Kings Bench also, as well upon such certificate, as also before themselves, have power to hear and determine the same offence.

XX. All persons appointed to take the oath of supremacie by 1 El. 1 and all other persons taking orders, preferred, to any degree in the Universities, Schoolmasters publick and private, all persons taking any degree of Learning in the lawes in the Innes or Court or Chancery, all Attourneys, Protonotaries, Philizers, Sheriffs, Escheators, Feodaries, All persons admitted to any ministry or Office belonging to the common Law, or other Law or Lawes, and all Officers and ministers of every Court, shall take the said oath *verbatim*, before they be admitted to exercise their office, ministry, or profession; which oath shall be administred in open Court unto the officers and Ministers of Courts, and unto such as belong not to any Court, in some open place in the presence of a convenient assembly, and before other persons authorized to give it by common use, commission or otherwise.

XXI. Archbishops and Bishops have power to minister the said oath within their proper Diocesse.

XXII. The Lord Chancellor or Keeper (without further warrant) may direct commissions to tender it.

XXIII. None compellable to take this oath by this Act or that of 1 El. 1 shall refuse to take it, in pain to incurre a *Premunire*, so that they be indicted or presented for such default within a yeer.

XXIV. Every person having authourity to tender this oath shall

shall within 40 dayes after the refusal thereof, if it be then Terme time; if not, then the first day of the next Term, certifie under his hand and seal the name, place, and degree of the person so refusing, unto the Kings Bench, in pain of 100^l. And the Sheriff of the County shall impanel a Jury of the same County to inquire upon such refusal which Jury may upon evidence indict the partie refusing as well as if the Indictment were preferred in the proper County.

XXV. If any refuse to take this oath upon the second tender or being formerly convicted of maintaining the jurisdiction of the Bishop or See of *Rome*, as aforesaid, do commit the like offence the second time; In both cases both they and their accessaries shall suffer as in case of high treason. But here there shall be no corruption of blood, disheriting of any heir, forfeiture of Dower, or prejudice, to the right of any, save onely of the offender during his life; and then the party next in reversion or remainder may enter without any *Ouster le main* to be sued: Here also, none shall be deemed an accessary for giving almes in charity to the offender without fraud.

XXVI. This oath shall be expounded in such forme, as is set forth in an admonition annexed to the Queenes injunctions published in the first year or her raigne, *viz.* to acknowledge in her Majesty, her heirs and successors such authority as was challenged and used by *H. 8.* and *E. 6.* and none other.

XXVII. This Act shall be published every quarter-sessions by the Clerk of the Peace, and at every Leet by the Steward there, and once every Term in the open hall of every Inns of Court and Chancery, at such times and by such persons as shall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every member of the Commons house, before he shall have a voice there, shall take this only before the Lord Steward or his Deputy; and if he enter the house before he take it, he shall incurre such penalties as he who presumes to sit there without election, return or authority.

XXIX. None of or above the degree of a Baron shall be compellable to take this oath, And a Peere offending this Act, shall be tried by his Peeres.

XXX. Provided, that none shall be compellable to take this oath upon a second tender, or be in danger (by the refusal thereof) to incur the penalty of high treason, save onely Clergy-men, officers of Ecclesiastical Courts, or such as shall not observe the Rites of Divine Service, do deprave by words, or writing the Rites and Ceremonies of the Church of *England*, or do use to say or hear private Masse.

XXXI.

X X X I. It shall not be lawful to slay one attainted in a *Premunire*.

X X X I I. Saving the due execution of every person attainted upon judgement lawfully given by reason of this Statute, or otherwise; and saving all such pains of death or other punishment, as heretofore might without danger of law be done upon any person that shall send or bring into the Queens dominions, or within the same execute any proceſſe against any person from the Bishop or See of *Rome*.

X X X I I I. None shall be hereafter indicted as an accessary for any of the said offences without such sufficient proof as may satisfy the Jury that are to indict him.

X X X I V. Stat. 13. El. 2. If any shall obtain or put in ure any Bull of absolution or reconciliation from the Bishop of *Rome*, or absolve or be absolved thereby, they and their accessaries before the fact shall be adjudged guilty of high Treason.

X X X V. The confortors and maintainers of such offenders shall incur a *premunire*, and their concealers misprision of treason: unless within six weeks they discover them to some of the privie Council, or to one of the Presidents or Vice-Presidents of the Councils established in the North or Marches of *Wales*.

X X X V I. Provided, no person shall be impeached of misprision of treason for any offence made treason by this Act, other then such as are hereby declared to be in case of misprision of treason.

X X X V I I. If any shall bring into any of the Queens dominions, any *Agnus Dei*, Crosses, Pictures, Beads, or any such vain or superstitious thing, or deliver, or offer the same to any person to be used; both the person so doing and the person so receiving the same shall incur a *Premunire*: howbeit if the party unto whom tender thereof shall be made, apprehend the party tendring the same, and carry him before the next Justice of Peace, or not being able so to do, within three dayes after discloseth his name, and the place of his abode or resort, unto the Ordinary, or some Justice of Peace within the same County; or having received the same, doth within one day after deliver it to some such Justice of Peace, then shall he not incur any prejudice by reason of this Act.

X X X V I I I. A Justice of Peace shall disclose the offences aforesaid to the Privy Council within fourteen dayes after he shall have notice thereof, in pain of incurring a *Premunire*.

X X X I X. Here the trial of Peers shall be by their Peers.

X L. The right of others saved:

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X L I. Stat

X L I. Stat. 23. El. 1. It shall be high treason to have, or pretend to have power, or to put in practice, to absolve, perswade, or withdraw any within the Queenes dominions from their natural obedience to her Majestie, or to withdraw them for that intent from the Religion now established to the Romish Religion; and they also, who shall be willingly so withdrawn or reconciled, as aforesaid together with the procurers and Counsellors of such offenders shall be adjudged guilty of the same offence.

X L I I. Also their aiders and maintainers, who do not discover them within twenty dayes to some Justice of Peace, or higher officer shall be adjudged guilty of misprision of treason.

X L I I I. None shall say or sing Masse, in pain to forfeit 200 Marks, to suffer one years imprisonment, and not to be enlarged thence: until that fine be paid; And none shall hear Mass, in pain of one years imprisonment, and a hundred Marks.

X L I V. Every person not repairing to Church, according to the Statute of 1. El. 2. (*which see in Service and Sacraments*) shall forfeit 20 l. for every moneth they so make default, and if they so forbear by the space of twelve moneths, after certificate thereof made by the Ordinary into the Kings Bench, a Justice of Assize, Gaol-delivery, or Peace of the County where they dwell, shall binde them with two sufficient sureties in 200 l. (at least) to the good behaviour, from which they shall not be released, untill they shall repair to Church, according to the said Statute.

X L V. None shall keep a Schoolmaster which absents himself from Church, or is not allowed by the Bishop or Ordinary, in pain of 10 l. for every moneth he so keeps him: and such Schoolmaster shall be for ever after disabled to teach youth, and shall suffer one whole years imprisonment without bail.

X L V I. The offences against this Act and the Acts of the first, fifth, and thirteenth years of the Queens reign, touching the acknowledging of her supream government in causes Ecclesiastical, the service of God, comming to Church, or establishment of true religion within this Realm, shall be inquirable before Justices of Oyer and Terminer, Assize, Gaol-delivery, and Peace in their Circuits, and Sessions within one year and a day after such offence committed, except treason and misprision of treason.

X L V I I. Provided, that any of the offenders aforesaid, which shall before judgement submit and conform themselves to the Bishop of the Diocesse, or in open Assize or Sessions, shall be discharged of every the offences aforesaid, (except treason and misprision of treason) and of all pains and penalties incurred for the same.

X L V I I I. Of

XLVIII. Of the forfeitures abovesaid, two third parts the Queen shal have, one to her own use, the other for relief of the poor in the Parish where the offence is committed, to be delivered without further warrant then of the principal officers of the Receipt of the Exchequer, and the other third part the prosecutor shall have: and here the offender that is not able to pay the forfeitures, or doth not pay them within three moneths after judgement shall be committed to prison, and there remain untill he have satisfied them, or shall conform himself, and go to Church.

XLIX. They that have on Sundayes the Divine Service established usually read in their houses, and are commonly present themselves thereat, and do not obstinately refuse to come to Church, but four times in the year (at least) are present at divine service in their own Parish-church, or some other open Chappel of ease: shall not incur the penalty aforesaid, for not coming to Church.

L. All covinous grants to defraud the Interest, which the Queen or any other person may claime by vertue of this Act, or of 13. *El.* 2. shall be adjudged void.

LI. If a Peer of the Realm happen to be indicted for any offence made treason or misprision of treason by this Act, he shall be tried by his Peers.

LII. This Act shall not abridge the jurisdiction of Ecclesiastical censures.

LIII. *Stat. 27. El. 2.* All Jesuits and Seminary Priests, and other Ecclesiastical persons, born within any of the Queens dominions, and ordained, or made such by the pretended jurisdiction of the See of *Rome* which come into or remain in any of the said dominions shall be adjudged guilty of high treason; and their receivers, aiders and maintainers (knowing them to be such, and at liberty) shall be adjudged felons without benefit of Clergy.

LIV. All others brought up in Seminaries beyond Sea, and not as yet in orders, as aforesaid, which do not within six moneths after Proclamation made in *London* (in that behalf) return into this Realm, and within two dayes after such return, before the Bishop of the Diocese, or two Justices of Peace of the County where they shall arrive, submit themselves to the Queen and her lawes, and take the oath of Supremacie, shall be also adjudged guilty of High Treason.

LV. They who give or send relief to any such Ecclesiastical person or Seminary, or to any brought up there, as aforesaid, shall incur a *Præmunire*.

LVI. These offences shall be heard and determined in the Kings

Bench, or in any County where they shall be committed, or the offender taken.

L VII. This Act shall not extend to any Jesuit or other Ecclesiastical person aforesaid, which within three dayes after his arrival shall submit himself to some Archbishop, Bishop, or Justice of Peace of the County where he lands, and there take the Oath of Supremacie, and under his hand acknowledge to continue in due obedience to her Majesties Lawes.

L VIII. Here the trial of a Peer shall be by his Peers.

L IX. If any person knowing a Jesuit or Priest to remain within any of the Queens dominions, do not within twelve dayes discover the same to some Justice of Peace, he or she shall make fine and suffer imprisonment, during the Queens pleasure; and the Justice of Peace which doth not within 28 dayes after disclose it to some of the Privie Council, or to the President, or Vice-President of the Councils in the North, or Marches of *wales*, shall forfeit 200 Marks; and such of those Councils, unto whom such information shall be made, shall deliver a writing under their hands unto the party informing, testifying that such information was made unto them.

L X. All oaths, bonds, and submissions as aforesaid, shall within three moneths be certified into the Chancery, by the parties before whom they are taken in pain of 100 *l*.

L XI. None having submitted, as aforesaid, shall within ten years after come within ten miles of the Court in pain to lose the benefit of his submission.

L XII. **Stat. 29. El. 6.** All grants, incumbrances, or limitations of use made by any person not repairing to Church (according to the Stat. of 23. *El. 1.*) and which are revocable by the offender, intended for his maintenance, left at his disposition, or in consideration whereof he or his family are to be kept, shall be utterly void against the Queen, as to hinder the levying of the forfeitures for not comming to Church, or saying, hearing, or being at Masse, or the making of seizures for the same purpose.

L XIII. Every conviction of any offence before mentioned shall be in the Kings Bench, or at the Assize or Gaol-delivery, and not elsewhere, and shall by the Justices there be certified into the Exchequer before the end of the term then next following.

L XIV. The Queen may seize all the goods and two third parts of the Lands and Leases of every offender not repairing to Church as aforesaid, which after their first conviction do not pay into the Exchequer, in such of the terms of *Easter* and *Michaelmas*, as shall happen next after such conviction, the summe then due for the forfeiture

feiture of 20 l. a moneth, and yearly after that (in the same terms) according to the rate of 20 l. a moneth, for so long time as they shall forbear to come to Church, according to the said Stat. of 23. El. 1.

L X V. The Indictment against such an offender shall be sufficient, although no mention be therein made that the party is within the Realme,

L X V I. When an Indictment is found against such an offender, Proclamation shall be made that he shall render himself into the Sheriffs hands before the next Assize or Gaol-delivery, which if he do not, that neglect shall be as sufficient a conviction, as if upon the same Indictment a trial by verdict had proceeded.

L X V I I. But here upon the offenders submission (according to the said Stat. of 23. El.) or death, no forfeiture shall issue, save only the arrearages due at the time of such submission or death.

L X V I I I. The Lord Treasurer, Chancellor, and chief Baron, or any two of them shall assign a third part of the forfeitures of 20 l. a moneth, for the relief and maintenance of the poor, houses of Correction, and maimed souldiers.

L X I X. This Act shall not extend to grants made *bonâ fide*, nor to continue any seizure after the death of the offender, in such lands, wherein he had not only an estate for life; or in the right of his wife.

L X X. Stat. 31. El. 1. If any above sixteen years of age shall be convicted to have absented themselves above a moneth from Church, without any lawful cause, impugned the Queens authority in causes Ecclesiastical, or frequented Conventicles, or perswaded others so to do, under pretence of exercise of Religion, they shall be committed to prison, and there remain, till they shall conform themselves, and make such open submission, as hereafter shall be prescribed. And if within three moneths after such conviction they refuse to conform and submit themselves, being thereunto required by a Justice of Peace, they shall in open Assize or Sessions abjure the Realm; and if such abjuration happen to be before Justices of Peace in Sessions, they shall make certificate thereof at the next Assize or Gaol-delivery.

L X X I. If such an offender refuse to abjure, or going away accordingly doth return without the Queens licence, he shall be adjudged a felon, and shall not enjoy the benefit of Clergy; but if before he be required to abjure, he makes his submission, the penalties aforesaid shall not be inflicted upon him.

L X X I I The form of the submission is as followeth:

I A.B. do humbly confesse and acknowledge, that I have grievously offended God in contemning her Majesties godly and lawful government and authority, by absenting my self from Church, and from bearing Divine Service, contrary to the godly Statutes and Laws of this Realm; and in using and frequenting disordered and unlawful Conventicles and Assemblies under pretence of Exercise of Religion: and I am heartily sorry for the same, and do acknowledge and testifie in my conscience, that no other person hath, or ought to have any power or authority over her Majesty: And I do promise and protest, without any dissimulation, that from henceforth I will from time to time obey and perform her Majesties Lawes and Statutes, in repairing to the Church, and bearing divine service, and do my uttermost endeavour to maintain and defend the same.

L X X I I I. The Minister of the Parish where the submission is made, shall presently enter the same in a Book, and within ten dayes after certifie it to the Bishop of the Diocesse.

L X X I V. The offender, that after such submission falleth into a relapse, shall take no benefit thereby.

L X X V. The forfeitures of this Act, and of 23. El. 1. may be recovered by action of debt.

L X X V I. The third part of the penalties, which accrue by this Act, shall be disposed as those of 29. El. 6.

L X X V I I. A *feme covert* shall not be compelled to abjure, but any other offender, that abjures, or (being required) refuseth so to do: shall forfeit all his goods and his lands during life: Howbeit here shall be no corruption of blood, losse of Dower, or disheerison of heir.

L X X V I I I. Stat. 35. El. 2. Popish Recusants above 16 years of age shall within 40 dayes after their conviction repair to their usual dwelling, and not remove above 5 miles from thence, in pain to forfeit all their goods, and their lands and annuities during life; And if they have no certain abode, then are they to repair to the place, where they were born, or where their father or mother dwells, and within 20 dayes after their arrival there, to give their names in writing to the Minister, Constables, and Headburroughs, which Minister is to enter them in a Book, to be kept for that purpose, and he together with the said Constables and Headburroughs, is to certifie the same to the next Quarter Sessions, where the Justices of Peace shall cause them to be inrolled.

L X X I X. A Copiholder shall in this case also forfeit his estate during life (if his estate continue so long) to the Lord of the Manor if he be no Recusant convict, nor seized or possessed in trust to the

the use of a Recusant; for then the Queen shall have the forfeiture.

LXXX. A Popish Recusant (being no *feme covert*, nor having lands worth 20 marks *per annum*, or goods worth 40 £) which within the time above limited doth not repair to the place of his abode, or doth depart above five miles thence, or within three moneths after his arrival there doth not make the submission hereafter following (being required so to do by the Bishop, a Justice of Peace, or the Minister there) shall before two Justices of Peace, or the Coroner, abjure the Kingdome, which abjuration shall be by the said Justices or Coroner certified in at the next Assize or Gaol-delivery.

LXXXI. If such Popish Recusant depart not the Realm within the time limited by the said Justices or Coroner, or return without the Queens licence, he shall be adjudged a felon without Clergy.

LXXXII. A Jesuit or Priest refusing to answer, shall be committed to prison, and there remain, till he will answer the questions whereupon he was before examined.

LXXXIII. This Act shall not restrain a Recusant (urged by processe or summons without fraud) to travel without the abovesaid limits, so he return again in convenient time, neither him that is compelled to render his body to the Sheriff.

LXXXIV. If such an offender before conviction, upon a Sunday or some festival day, repair to Church, and there hear Divine Service, and before the Gospel make the Confession following, he shall be discharged of the penalties inflicted by this Act.

The Confession is this :

LXXXV. I A. B. do humbly confesse and acknowledge, that I have grievously offended God in contemning her Majesties godly and lawful Government and authority, by absenting my self from Church, and from hearing divine service, contrary to the godly Laws and Statutes of this Realm; and I am heartily sorry for the same, and do acknowledge and testifie in my conscience, that the Bishop and See of Rome hath not, nor ought to have any power or authority over her Majesty, within any of her Majesties Realmes Dominions : And I do promise and proceed without any dissimulation, that from henceforth I will from time to time obey and perform her Majesties Lawes and Statutes, in repairing to the Church, and hearing divine service, and do my uttermost endeavour to maintain and defend the same.

LXXXVI. The Minister of the Parish, where such submission is made, shall presently enter the same in a Book, and within ten dayes after, certifie it to the Bishop of the Diocesse.

LXXXVII. The offender, that, after such submission, falleth into a relapse, shall take no benefit thereby.

LXXXVIII. Every married woman shall be bound by this Act, save onely by the clause of abjuration.

LXXXIX. Stat. 1. Ja. 1. A Recognition, that upon Queen Elizabeths death, the Crown of England, and all the Kingdomes, dominions, and rights belonging to the same, did by lawful birth-right and succession descend to King James.

XC. Stat. 1. Ja. 4. All the aforesaid Statutes made in the time of Queen Elizabeth shall be duely put in execution, against all such as do not conform themselves, as aforesaid.

XCI. Where the Ancestor dies a Recusant, the heir being none, or conforming himself, and taking the oath of Supremacie befoie the Archbishop or Bishop of the Diocesse, the land shall be freed from all penalties.

XCII. If an heir (within age) after he shall have accomplished the age of 16 years doth still continue a Recusant, his lands shall not be freed, untill he do conform and take the oath of Supremacie, as aforesaid.

XCIII. A third part of every Recusants lands shall remain cleer unto him from seizure or extent, and the other two parts shall remain in the Kings hands (both before and after the Recusants death) until the King shall be fully satisfied all the arrearages for the 20 l. a moneth, according to 23. E. 1.

XCIV. None shall send any childe or other person under their goverment beyond the Seas, to be instructed in the Popish Religion, in pain of 100 l. and they which are so sent shall be incapable (as to themselves onely) of any grant or inheritance due unto them or to others for their use.

XCV. If a woman or childe under the age of 21 yeares be suffered to passe the Seas without the licence of the King, or of six of the Privy Council under their hands, (except Sailors, Ship-boyes, or Merchants Factors, or apprentices) the officers of the Port shall forfeit their offices, and all their goods, the owner of the Ship his Ship and Tackle, and every Master or Mariner of or in the Ship, all their goods, and also suffer a years imprisonment without bail.

XCVI. None out of the Universities shall keep School, (except a Free-School, or in some persons house that is no Recusant, or by licence of the Bishop or Ordinary) in pain to forfeit 40 s. a day.

XCVII. The forfeitures of this Act shall be divided betwixt the King and the prosecutor.

XC VIII. Stat.

person to present or confesse any thing or to accuse him or her self of any crime or offence, whereby they may be liable to any pain or punishment, in pain to forfeit treble damages to the partie grieved, and 100 l. to the first prosecutor, to be recovered by action of debt, &c. in which no wager of law, &c. shall be allowed.

C L X. The party offending against this Act shall be disabled to execute any employment in any Court of Justice, and to exercise any jurisdiction by force of any letters patents from the King.

C L X I. No new Court, which may have the like power that the High Commission pretended to have, shall be hereafter erected, but all such jurisdictions, and all acts, sentences and decrees made by colour thereof, shall be utterly void, and of none effect.

Cui in vita.

F I. *Stat. 2.3.13.E.2.* A writ of Entry (called *Cui in vita*) is given to the wife for the recovery of her land lost by the default of the husband in his life-time: and in his life-time also she shall be admitted to defend her right, if she come in before judgement.

II. The like priviledge is given to the Reversioner, where tenant in dower, by the Courtisie, for life, or by gift, doth lose by default, or will yield up the land.

Customes, Customers, and Controulers.

I. *Stat. 14. E.3. 21.* A Mark shall be the Custome of a Sack of wool, and of woollfells and leather the old custome.

II. A Sack of wool shall contain 26 stone, and each stone 14 pounds; and for every sack of wool exported, four nobles worth of silver plate shall be imported, and brought to the Kings exchange, where the party shall receive his money for his plate.

III. Wools shall not be cocketed, but in the name of the right owner in pain to forfeit the same.

IV. *Stat. 14. R. 2. 10* No Customer or Controulers shall have any ships of his own, nor meddle with the freight of ships.

V. *Stat. 4.H.4.20.* Every Customer upon his accompt shall be sworn to render a true accompt to the King.

VI. *Stat. 11. H. 4. 2.* None that holdeth a common Hosterie shall be a Customer, Controulers, Finder, or Searcher.

VII. *Stat. 3. H. 6. 3.* No Customer, Collector, or Controulers shall conceal Customes duely entred and paid, in pain to forfeit the treble value of the Merchandize so customed, and to make fine and

ransome to the King; of which penalties the prosecutor shall have a third part.

VIII. Stat. 11. H. 6. 15. Every Customer and Controulr shall deliver to the Merchant a warrant (under the Seal of their Office) of the Merchandize to them shewed, without fee, in pain to be subject to be sued by the Merchants, and to forfeit for every such default 10 *l.* to the King, and 5 *l.* to the Merchant.

IX. Stat. 20. H. 6. 4. Merchant *Denizens* that transport any Wool, Woolfels, or Tin to any other place then the Staple, shall pay such Custome and other duties for the same as Merchants *Aliens* pay.

X. This Statute shall not prohibit such as have the Kings licence to transport those commodities to other places then *Calice*, where (it secmes) the Staple then was.

XI. Stat. 20. H. 6. 5. No Customer, Controller, Searcher, Surveyor of Searches, or their Clerks, Deputies, Ministers, Factors, or Servants shall have any ship of their own, use Merchandise, keep a Wharf, Inne, or Tavern, or be a Factor, Attourney, or Host to a Merchant, in pain of 40 *l.* to be divided betwixt the King and the Prosecutor.

XII. Stat. 1. H. 7. 2. Aliens made *Denizens*, shall pay such Customs and Subsidies as they did before they were made *Denizens*.

XIII. Stat. 3. H. 7. 7. Every Merchant, that importing any goods into this Realm, entring the same with the customer of the Port where he lands, and paying there all duties, is minded to transport them to some other Port, shall obtain a Certificate under the Customers Seals expressing the nature, colour, length, value, content, or weight of such goods, to be directed and delivered to the Customers of the Port, whither they are to be conveyed, before they be discharged, in pain to forfeit the said goods, to be divided betwixt the King and the Prosecutor. And the Customers are to make a true Certificate thereof, in pain to forfeit their Offices and make fine at the Kings pleasure.

XIV. No Merchant *Denizen* or Stranger, shall make entry of any goods in the Customers books, but onely in the name of the right owner, in pain to forfeit the same, suffer imprisonment, and make fine at the Kings pleasure.

XV. None shall take upon him to be a Customer, Controller, or Searcher in any Ciry, Burrough, or Town, while he is a Common Officer, or Deputy to a common Officer there, in pain to forfeit 40 *l.* for every six moneths he so executes them together, to be divided betwixt the King and the prosecutor.

XVI. Stat. 11. H. 7. 6. The Custome and Subsidy of all Wool-

len Clothes to be caried beyond Sea, wherefoever they were pack-
ed shall be paid to the Customers of the Ports, where they shall be
shipped, or to their deputies.

XVII. Stat. 11. H. 7. 14. Merchants Strangers, the al, made
Denizens, shall pay such Customes and Subsidies, as he
have paid, if they had not been made Denizens.

XVIII. Stat. 1. H. 8. 5. The Branch of the Statute 6. 1. 7.
Concerning the entry of goods in anothers name is repealed, be-
cause it seemed to extend as well to Englishmen as Strangers.

XIX. Any Englishman, and other subject of the King may
custome in his own name the goods of another Englishman, or sub-
ject.

XX. Every Merchant-stranger may custome in his own name
the goods of another Merchant-stranger; so that such Merchant-stran-
ger, and also the Owner of the goods be charged with like custome.

XXI. He that so customes goods, that the King thereby loseth his
custome or other duties, shall forfeit the goods to the King, and as
much to the party grieved, as the goods are worth.

XXII. None free of the Prizage or Butlerage of Wines shall
custome any Wines of another not free thereof, in pain to forfeit
the double value of the Wines so customed.

XXIII. An Action of Debt is given for the party grieved against
him, that customes goods in his own name, when they are another
mans to recover the value of the goods so accustomed.

XXIV. Stat. 4. H. 8. 6. No Collector or Controller of the
Subsidy of Cloath of Gold, Silver, Bandekin, Velvet, Damask, Sat-
tin, Sarsenet, Tartron, Chamblet, or other Cloth of Silk, shall take
any thing for sealing the same, in pain to forfeit 20 pound for every
time.

XXV. The Collector or Controller shall not delay the Mer-
chant in sealing such Merchandize, in pain of 40s. to be divided
betwixt the King and the Merchant grieved.

XXVI. Stat. 2. 3. E. 6. 22. If any offend contrary to the Sta-
tute of 1. H. 8. 5. they shall forfeit all their goods and chattels, to be
divided beewixt the King and the prosecutor, if the action be prose-
cuted within three years.

Customes and Usages.

I. Stat. 31. H. 8. 3. The Mannors, &c. of Thomas Lord Cromwel
and others within the County of Kent, being Gavelkingland, shall
hereafter descend as lands at the Common Law.

ransome to the King; of which penalties the prosecutor shall have a third part.

VIII. Stat. 11. H. 6. 15. Every Customer and Controulor shall deliver to the Merchant a warrant (under the Seal of their Office) of the Merchandize to them shewed, without fee, in pain to be subject to be sued by the Merchants, and to forfeit for every such default 10 l. to the King, and 5 l. to the Merchant.

IX. Stat. 20. H. 6. 4. Merchant Denizens that transport any Wool, Woolfels, or Tin to any other place then the Staple, shall pay such Custome and other duties for the same as Merchants Aliens pay.

X. This Statute shall not prohibit such as have the Kings licence to transport those commodities to other places then Calice, where (it seemes) the Staple then was.

XI. Stat. 20. H. 6. 5. No Customer, Controller, Searcher, Surveyor of Searches, or their Clerks, Deputies, Ministers, Factors, or Servants shall have any ship of their own, use Merchandise, keep a Wharf, Inne, or Tavern, or be a Factor, Attourney, or Host to a Merchant, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

XII. Stat. 1. H. 7. 2. Aliens made Denizens, shall pay such Customs and Subsidies as they did before they were made Denizens.

XIII. Stat. 3. H. 7. 7. Every Merchant, that importing any goods into this Realm, entring the same with the customer of the Port where he lands, and paying there all duties, is minded to transport them to some other Port, shall obtain a Certificate under the Customers Seals expressing the nature, colour, length, value, content, or weight of such goods, to be directed and delivered to the Customers of the Port, whither they are to be conveyed, before they be discharged, in pain to forfeit the said goods, to be divided betwixt the King and the Prosecutor. And the Customers are to make a true Certificate thereof, in pain to forfeit their Offices and make fine at the Kings pleasure.

XIV. No Merchant Denizen or Stranger, shall make entry of any goods in the Customers books, but onely in the name of the right owner, in pain to forfeit the same, suffer imprisonment, and make fine at the Kings pleasure.

XV. None shall take upon him to be a Customer, Controller, or Searcher in any City, Burrough, or Town, while he is a Common Officer, or Deputy to a common Officer there, in pain to forfeit 40 l. for every six moneths he so executes them together, to be divided betwixt the King and the prosecutor.

XVI. Stat. 11. H. 7. 6. The Custome and Subsidy of all Wool-

len Clothes to be caried beyond Sea, whereſever they were pack-
ed ſhall be paid to the Customers of the Port, where they ſhall be
ſhipped, or to their deputies.

XVII. Stat. 11. H. 7. 14. Merchants Strangers, though made
Denizens, ſhall pay ſuch Customes and Subſidies, as ſuch
have paid, if they had not been made Denizens.

XVIII. Stat. 1. H. 8. 5. The Branch of the Statute of 1. H. 7.
Concerning the entry of goods in anothers name is repealed, be-
cauſe it ſeemed to extend as well to Engliſhmen as Strangers.

XIX. Any Engliſhman, and other ſubject of the King may
cuſtome in his own name the goods of another Engliſhman, or ſub-
ject.

XX. Every Merchant-ſtranger may cuſtome in his own name
the goods of another Merchant-ſtranger; ſo that ſuch Merchant-ſtran-
ger, and alſo the Owner of the goods be charged with like cuſtome.

XXI. He that ſo cuſtomes goods, that the King thereby loſeth his
cuſtome or other duties, ſhall forfeit the goods to the King, and as
much to the party grieved, as the goods are worth.

XXII. None free of the Priſage or Butlerage of Wines ſhall
cuſtome any Wines of another not free thereof, in pain to forfeit
the double value of the Wines ſo cuſtomed.

XXIII. An Action of Debt is given for the party grieved againſt
him, that cuſtomes goods in his own name, when they are another
mans to recover the value of the goods ſo accuſtomed.

XXIV. Stat. 4. H. 8. 6. No Collector or Controller of the
Subſidy of Cloath of Gold, Silver, Bandekin, Velvet, Damask, Sat-
tin, Sarſenet, Tartron, Chamblet, or other Cloth of Silk, ſhall take
any thing for ſealing the ſame, in pain to forfeit 20 pound for every
time.

XXV. The Collector or Controller ſhall not delay the Mer-
chant in ſealing ſuch Merchandize, in pain of 40s. to be divided
betwixt the King and the Merchant grieved.

XXVI. Stat. 2. 3. E. 6. 22. If any offend contrary to the Sta-
tute of 1. H. 8. 5. they ſhall forfeit all their goods and chattels, to be
divided beewixt the King and the proſecutor, if the action be proſe-
cuted within three years.

Customes and Usages.

I. Stat. 31. H. 8. 3. The Mannors, &c. of Thomas Lord Cromwel
and others within the County of Kent, being Gavelkingland, ſhall
hereafter deſcend as lands at the Common Law.

Custos Rotulorum.

I. Stat. 37. H. 3. 1. None shall be *Custos Rotulorum*, but such as shall have a Bill signed by the Kings hand for the same, which shall be presented to the Lord Chancellor to put and continue him in the Office of *Custos Rotulorum*, until the King shall appoint another.

II. The *Custos Rotulorum* may execute that Office by a Deputy, learned in the Laws, and able to supply that place.

III. The *Custos Rotulorum* shall have power to appoint the Clerk of the Peace, who may also execute it by a sufficient Deputy approved by the *Custos Rotulorum*.

IV. This Act shall not inhibit the Archbishop of York, the Bishop of Durham, the Bishop of Ely, and all others having lawful power (by the grant of the King or his progenitors) to make *Cust. Rotul.* within their several jurisdictions, to use the same liberty, which they had before.

V. Stat. 3. 4. E. 6. 1. The Lord Chancellor, or Keeper shall appoint the *Custos Rotulorum* in every County of England, Wales, and other the Kings dominions, who may execute his office by himself, by his Deputy: Howbeit, the power of others is saved, who have power to name the *Custos Rotulorum*.

Dayes in Bank.

I. Stat. **D**E Anno Biffextili, 21. H. 3. The day increasing in the Leap-year, and the day next going before shall be accounted for one day; and this was done to avoid the doubt of the year and day, that were wont to be assigned to sick persons being impleaded, to the end they might know (when the Leap-year happened) how to reckon their year and day.

II. Stat.

II. Stat. 51 H. 3.

If a Writ come in.	}	Day shall be given thereupon unto the	}	Utas Sancti Mich.	Utas Sancti Hill.
				Quinzime Mich.	Quinzime Hill.
				Tres Mich.	Craftino Purif.
				Craftino Anim.	Quinzime Pasche
				Craftino Mart.	Tres Pasche
				Utas Martini	Mense Pasche
				Quinzime Mart.	Quinque Pasche
				Utas Hillarii	Utas Trin. & sometimes
				Quindena Hilla-	in Craft. S. J. B.
				rii.	Craft. & Utas S. J. B.
				Craft. Purif.	Quindena S. Jo. Bapt.
				Utas Purific.	Utas Mich.
				Quindena Pasche	Quindena Mich.
				Tres Pasche	Tres Mich.
				Mense Pasche	Mense Michaelis
				Quinque Pasche, or	
				Craft. Ascens.	
				Utas Trin.	Craft. Anim.
				Quindena Trin. or	Craft. Mart.
				Craft. S. Joh. E.	
				Utas S. John Bapt.	Utas Mart.
				Quindena S. J. B.	Quindena Mart.

And so every Term shall answer to other.

III. Stat. 51. H. 3. Concerning general dayes in a Writ of Dower.

If the Writ come in.	}	Day shall be given until	}	Ostabis Mich.	Craftino Animarum
				Quindena Mich.	Craft. Martini
				Tres Michael.	Ostabis Martini
				Mense Mich.	Quindena Mart.
				Craftino. Anim	Ostabis Hillarii
				Craftino. Mart.	Quindena Hillarii
				Ostabis Mart.	Craftino Purif.
				Quindena Mart.	Ostabis Purif.
				Ostabis Hill.	Quindena Pasche
				Quindena Hill.	Tes Pasche
				Craftino. Purif.	Mens. Pasche
				Ostabis Purif.	Craftino Ascens.
				Quindena Pasche	Ostabis Trin.

Tres

Tres Pasche	Quinden. Trin.
Mense Pasche	Craft. Io. Bapt.
Quinque Pasche	Octabis Jo. Bapt.
Craft. Ascens.	Quindena Johannis
Octabis Trin.	Octabis Michaelis
Quindena Trin.	Quindena Michaelis
Craft Johannis	Tres Michaelis
Octabis Johannis	Mense Michaelis
Quindena Johannis	Craft. Animar.

IV. **Statute**, 12. 52. H. 3. In Dower (*unde nihil habet*) four dayes shall be given in the year, and more, if conveniently may be, so that they shall have five or six dayes (at least) in the year.

V. In Affizes of *Darrein presentment*, and a plea of *Quare impedit* dayes shall be given from fifteen to fifteen, or from three weeks to three weeks, according to the distance of the place.

VI. In a *Quare impedit*, if the Disturber come not in upon summons, nor cast an *Essoine*, he shall be attached at another day, when if he come not, nor cast an *Essoine*, the great distresse shall issue against him, when if he come not, a writ shall be sent to the Bishop, that the disturber claim not for that time to the prejudice of the Plaintiffe, saving unto him his right at another time.

VII. The same law shall be observed for attachments, as for distresses, so that the second attachment shall be made by better pledges, and after the last distresse.

VIII. **Stat.** 32. H. 8. 21. There shall be onely four dayes of Return in *Trinity-Term*, viz: *Craft. Trin. Octab. Trin. Quindena Trin.* and *Tres Trin.*

IX. This Term shall hereafter begin upon the Munday after *Trinity-Sunday* for keeping of *Essoines*, *Profers*, *Returns*, and other ceremonies formerly used; and the full term shall begin the Friday after *Corpus Christi* day, being alwayes the Friday next ensuing,

X. If a writ in any real action come in & be returnable	Octabis Hill.	Day shall be given in	Craftino Trin.
	Quind. Hill.		Octab. Trin.
	Craft. Purif.		Quind. Trin.
	Octab. Purif.		Tres Trin.
	Craft. Trin.		Craft. Anim.
	Octab. Trin.		Craftino Mart.
	Quindena Trin.		Octab. Mart.
	Tres Trin.		Quindena Mart.

XI. If any writ of Dower come in and be returnable	Quind. Pasche	Day shall be given in	Craft. Trin.
	Tres Pasche		Oftab. Trin.
	Mense Pasche		Quind. Trin.
	Quinque Pasche		Tres Trin.
	or Craft. Ascens.		
	Craft. Trin.		Oftab. Mich.
	Oftab. Trin.		Quind. Mich.
	Quind. Trin.		Tres Mich.
	(Tres Trin.)		(Mense Mich.)

XII. All common writs and processs (as well personal as mixt) shall keep the said returns of Trinity-Term, ordained by this Act.

XIII. This Act shall not prohibit the Justices of the Kings Courts of Record to assign special dayes of Return, in such cases and processs, as have used to have special dayes assigned.

XIV. The said Statute of Marlbridge, 12. and also 5. E. 3. (which see in Attaint) being not contrariant to this Act shall remain firm, notwithstanding this Act.

XV. Stat. 16, 17. Car. 6. There shall be onely six dayes of return in Michaelmas Term, viz. Tres Michael. Mense Michael. Craft. Anim. Craftino Mart. Oftabis Mart. and Quindena Mart.

XVI. Michaelmas Term shall hereafter begin at Tres Michael. for the keeping of Effoines, Profers, Returns, and other ceremonies heretofore used, and the full term shall be four dayes after: Howbeit, if the beginning of the term, or the said fourth day happen to be Sunday, then the next day is to be kept for it.

XVII. If any writ in any reall action (other then writs of Entry for common Recove-ries, writs of right of Advowson, and writs of Dower, unde nihil habet, hereafter mentioned) come in and be returnable	Tres Mich.	Then day shall be gi-	Craft. Purif.
	Mense Mich.		Oftabis Purif.
	Craftino Anim.		Quind. Pasche
	Craftino Mart.		Tres Pasche
	Oftab. Mart.		Mense Pasche
	Quind. Mart.		Quinque Pasche
	Oftab. Hill.		Craft. Ascens.
	Quind. Hill.		Craft. Trin.
	Craft. Purif.		Oftab. Trin.
	Oftab Purif.		Quind Trin.
	Quind. Pasche		Tres Trin.
	Tres Pasche		Tres Mich.
	Mense Pasche		Mense Mich.
	Quinq; Pasche		Craft. Anim.
	Craft. Ascens.		Craft. Mart.
	Craft Trin.		Oftab. Mart.
	Oftab. Trin.		Quind. Mart.
	Quind. Trin.		Oftab. Hill.
	(Tres Trin.)		(Quind. Hill.)

XVIII. Provided, that in Writs of Dower (*unde nihil habet*) after issue joyned 15 dayes betwixt the *teste* and the return shall suffice, as is used in personal actions:

XIX. *Craftino Ascens.* shall be a good return, notwithstanding there be not 15 dayes between the *quarto die* of that return, and the *Essoine-day* of the return of *Craft. Trin.* Also the return from *Tres Mich.* to *Craft. Anim.* shall be a good return, albeit there be not 15 dayes between the *quarto die* of *Tres Mich.* and the *Essoine dayes* of *Craft. Anim.*

XX. All writs of Summons *ad warrantizandum* against Vouchers upon common Recoveries had in Writs of Entry upon the appearance of the tenant, and all Writs of right of Advowson shall be abridged to five Returnes, as Writs of Summons *ad warrantizandum* in Writs of Dower have been heretofore used.

XXI. This Act shall not prohibit the Justices of the Kings Courts of Record to assigne special dayes of Return in such cases and processses, as have used to have special dayes assigned.

XXII. The dayes in Assize of *Darrein Presentment*, and in Plea of *Quare impedit*, limited by the said Statute of *Marlebridge*, and also the dayes given in Attaint, limited by 5. E. 3. 8. and 23. H. 8. 1. (*which see in Attaint*) being not contrary to the tenour of this Act, shall be held firm, notwithstanding this Act.

Damages, and Costs.

I. *Glocester, 1. 6. E. 1.* Damages are given in Assizes of *Novel disseisin* as well against the alience of the disseisor, as against the disseisor himself; so that every one shall answer for his time.

II. The disseisee shall recover damages in a writ of *Entry* upon *Novel disseisin* against him that is found tenant after the disseisor.

III. Damages shall be awarded in all cases, where one recovereth in an Assize of *Mortdancestor*. And also in writs of *Cosinage, Ayel* and *Besayel*.

IV. The Demandant may recover against the tenant the costs of his writ together with the damages, aforesaid, and this Act shall hold place in all cases, where the partie is to recover Damages.

V. *Glocester, 14. 6. E. 1.* Disseisees in *London* shall have damages by recognizance of the same Assize, whereby they recovered their Lands and the Disseisors shall be amerced before two Barons of the Exchequer, which shall resort once a yeare into the Citie to do it, & the Barons & Treasurer shall cause it every year to be levied by two

of them at their rising after Candelmas; And the amerciaments shall be levied by summons of the Exchequer to the Kings use.

V I. Exposition of *Glocester 6. E. 1.* where any have entred by a disseisor, the damages shall run from the time of the Statute published.

V I I. In writs of entry *sur disseisin, Mortdancer, Cofinage, Byel, and Besayel*, and touching intrusion or of ones own act, by any manner of writ, the Damages shall runne after the writ purchased against them that held since the Statute, albeit their Ancestors died seized thereof.

V I I I. *Stat. 3. H. 7. 10.* Where any person bound by a judgement shall sue (before execution had) a writ of Errour to reverse it, if the judgement be affirmed, the writ discontinued, or the party that sueth it be nonsuit, the party against whom the writ is brought, shall recover his costs and damages at the discretion of the Justices before whom the said writ is sued.

I X. *Stat. 19. H. 7. 20.* The Statute of 3. H. 7. 10. is confirmed, and shall be duely put in execution.

X. *Stat. 23. H. 8. 15.* If the Plaintiff be nonsuit or overthrown by lawful trial in any action, bill, or plaint, for trespass upon the Statute of 5. R. 2. 7. (*which see in forcible Entry, 1.*) or for any debt or covenant upon specialty or contract, or for *detinue*, accompt upon the case, or upon any Statute, the defendant shall in such case have his costs, to be assessed by the Judge or Judges of the Court, and to be recovered as the Plaintiff might have recovered his, in case Judgement had been given for him.

X I. Here, he that sues *in forma pauperis* shall (not pay costs, but) suffer such punishment, as the Justices or Judge of the Court shall think fit.

X I I. *Stat. 24. H. 8. 8.* There shall be no costs awarded to the defendant, when any action is sued to the Kings use.

X I I I. *Stat. 43. El. 6.* In personal actions in the Courts at *westm.* (being not for land or battery) when it shall appear to the Judges (and so by them signified) that the debt or damages to be recovered amount not to the summe of 40 s. or above, the said Judges shall award to the plaintiff no more costs then damages, but lesse at their discretion.

X I V. *Stat. 4. Ja. 3.* If the demandant or plaintiffe be nonsuit or overthrown by lawful trial in any action whatsoever, the tenant or defendant shall have costs, to be assessed and levied, as costs are to be assessed and levied, by the Stat. of 23. H. 8. 15.

X V. *Stat. 21. Ja. 16.* In Actions of Slander, if the Jury finde
or

or assesse the damages under 40 s. the plaintiff shall recover no more costs then damages.

Darreign presentment.

I. *Magna Carta*, 13. 9. H. 3. Affizes of *Darreign presentment* shall be taken before the Justices of the Bench, and there shall be determined.

Debt.

I. *West.* 2. 13. E. 1. None shall distrain a forreigner in any City, Burrough, Town, Market, or Fair, for any debt, wherefore he is not debtor or pledge, in pain to be grievously punished; and if he be, the distresse shall be re-delivered without delay by the Bailiffe of the place, or the Kings Bailiff if need be.

II. *Stat.* 1. R. 2. 12. No Warden of the Fleet shall suffer any prisoner (being in by judgement) to go at large, by mainprize, Bail, or Baston without agreeing with the party for the thing adjudged (unlesse it be by writ or other command of the King) in pain to lose his office.

III. The Warden being attainted thereof by due processe, (the plaintiffs shall have their recovery against him by bill of debt.

IV. If any person, being judged to another prison, shall with purpose to be removed to the Fleet, and there to have more liberty) confesse himself debtor to the King, the said recognizance shall be received; and if he be not debtor to the King upon record, he shall be remanded, and there remain untill he hath agreed with the party, and afterwards shall be sent to the Fleet, and there remain until the King be satified the cognizance.

V. *Stat.* 2. R. 2. *Parl.* 2. 3. Where a debtor makes a fraudulent conveyance to defraud the Creditor, if upon the *Capias* for the debt, the Sheriff return he hath not taken him, because of some priviledged place where he is; the Sheriff shall have another writ to make Proclamation once a week five weeks together at the gate of the priviledged place, that the party appear at the day comprized in the last writ; and then upon return of the said last writ, that proclamation is made accordingly, if the party appear neither by himself nor his Attourney, judgement shall be given against him upon the principal for his default, and also (the Collusion being proved) execution had of all his goods and lands, without the place priviledged, as well those demised as others.

VI. *Stat.*

VI. Stat. 3. Ja. 1. Every Citizen and Freeman of *London*, and every other person there inhabiting, being a Tradesman, Victualler, or labourer, which hath any debt due to him not amounting to 40 s. by any such person as aforesaid, may cause the debtor to be summoned to the Court of Requests at *Guildhall* upon a writing to be left at the debtors house by an officer of the same Court or by some other reasonable warning, to appear before the Commissioners there, who (or any three of them) shall have power to make orders therein, to be registred in a book, and duly observed by both parties.

VII. The Commissioners also, (or any three or more of them) have power to administer oaths both to the parties and witnesses.

VIII. If any such person, as aforesaid, for any such debt commence any suit elsewhere against any other like person, and that it appear to the Judge upon the defendants own oath, or other sufficient testimony, that he is a Freeman, or inhabitant of *London*, as aforesaid, and also that the damages sued for amount not to 40 s. the said Judge shall not allow to the plaintiff any costs of suit at all; but shall award to the defendant his reasonable costs.

IX. None shall refuse to appear upon due summons, or to obey the Commissioners orders, in pain to be imprisoned in one of the Counters by the said officer, or any other of the Serjeants at Mace of the City, there to remain, untill their orders be performed.

X. This Act shall not extend to any debt for rent, real contracts, or concerning testaments, matrimony, or any thing belonging to the Ecclesiastical Court.

XI. Stat. 7. Ja. 12. None keeping a Shop-book, his executors or administratours shall be allowed to give it in evidence for wares or work, above one year before the Action brought, unless they having obtained a bond or bil for the debt, or brought an action thereupon within one year before the wares delivered or work done.

XII. This Act shall not hold place between Merchant and Merchant, Tradesman and Tradesman, or Merchant and Tradesman, for any thing falling within the compasse of their mutual Trades and Merchandize.

Debt to the King.

I. Magna Carta, 8.9. H. 3. The King nor his Bailiffs shall leve any debt upon lands or rents, so long as the debtor hath goods and chattels to satisfie, neither shall the pledges be distrained so long

long as the principal is sufficient; but if he fail, then shall the pledges answer the debt: Howbeit, they shall have the debtors lands and rents, until they be satisfied, unlesse he can acquit himself against the pledges.

II. *Magna Carta*; 18. 9. H. 3. The Kings debtor dying, the King shall be served before the Executors.

III. *West.* 1. 19. 3. E. 1. The Sheriff having received the Kings debt, upon his next accompt shall discharge the debtor thereof, in pain to forfeit three times so much to the debtor, and to make fine at the Kings will.

IV. The Sheriff or his heires shall answer all moneys, that they who he imployes, do receive; and if any other that is answerable to the Exchequer by his own hands do so, he shall render thrice so much to the plaintiff, and make fine, as before.

V. Upon payment of the Kings debt, the Sheriff shall give a release to the debtor, and the processe for levying the same shall be shewed him upon demand without fee, in pain to be grievously punished.

VI. *Bre. super Cartas*, 11. 28. E. 1. Beasts of the Plough shall not be distrained for the Kings debt, so long as others may be found upon such pain, as is elsewhere ordained by Statute, (viz. by the *Stat. de Distractione Scaccarii* 51. H. 3. which see in Digest.)

VII. The great Distresses shall not be taken for his debts, nor driven too far, and if the debtor can finde convenient surety, the distresse shall in the mean time be released: and he that doth not otherwise shall be grievously punished.

VIII. *Stat.* 13. *Ed.* 4. All the lands, tenements and hereditaments, which any Accomprant of the Queen, her heires and successors hath while he remains accomptable, shall for the payment of the debts of the Queen, her heires and successors be lyable and put in execution in like manner as if such accomprant had stood bound by writing Obligatory, (having the effect of a Statute staple) to her Majesty, her heires and successors for payment of the same.

IX. If his *super* be not paid within six moneths after the accompt past, the Queen, &c. may sell so much of his estate as will answer the debt, and the overplus of the sale is to be rendered to the Accomprant or his heirs by the officer, that receives the purchase-money, without further warrant.

X. If such an accomprant or debtor purchase lands in others names in trust for his use, that being found by office or inquisition, those

those lands also shall be liable to satisfy the debt, in such manner as before is expressed.

XI. Lands purchased by Accomptants since the beginning of the Queens Reigne either in their own names, or in the names of others in trust for their use, shall be also liable to be sold for the discharge of their debts, as aforesaid, rendering the overplus to the accomptant, as before.

XII. Provided, that Bishops lands shall be onely chargeable for subsidie or tenths, as they were before the making of this Act, and not otherwise.

XIII. Neither shall this Act extend to charge any accomptant, whose yearly receipt exceeds not 300 l. otherwise then as he was lawfully chargeable before this Act.

XIV. Neither shall this Act extend to such accomptants, as by order of their offices and charge immediately after their accompts past, are to lay out money again, such as are the Treasurers of War, Garrisons, Navie, provision of Victual, or for fortifications, or buildings, and the Master of the Wardrobe, unlesse the Queen, &c. command present pay.

XV. Neither doth this Act extend to Sheriffes, Escheators, or Bailiffs of liberties, concerning whose accompts the course remains the same that it was before.

XVI. Lands bought of an Accomptant *bonâ fide*, and without notice of any fraudulent intent in the Accomptant shall be discharged: And if they be found by office, yet shall they upon traverse be discharged without livery, *Ouster le main*, or other suit.

XVII. The Queen, &c. being satisfied by sale of land, the sureties shall be discharged for so much, and if any yet remain unpaid, the sureties shall pay the residue ratably according to their abilities.

XVIII. Stat. 14. El. 7. The Statute of 13. El. 4. shall also extend to make the lands, &c. and goods of Under-Collectors (substituted by Bishops, and (*sede vacante*) by Dean and Chapter to collect the tenths and subsidies, of the Clergy) liable to their debts.

XIX. The said Under-Collectors shall accompt in the Exchequer, and the Bishop and Dean and Chapter (*sede vacante*) shall be discharged of so much as is levied of the Under-Collectors lands, &c. and goods.

XX. Stat. 27. El. 3. The Queen, &c. may make sale of the Accomptants lands, &c. as well after his death, as in his life-time, and as well where the accompt is made, and the debt known within eight

eight years after his death, as where the accompt was made, and the debt known in his life-time.

XXI. Provided, that after the Accomptants death, and before the lands be sold, a *scire facias* shall be awarded to garnish the heir to shew cause why the lands, &c. should not be sold, &c. whereupon if the heir upon such garnishment, or two *Nichils* returned, do not prove unto the Court, that the executors or administrators of the Accomptant have sufficient, then 10 months after such two *Nichils* or garnishment returned, the lands, &c. shall be sold, and disposed according to the Stat. of 13. *El.* 4.

XXII. Nevertheless the heirs sale *bonâ fide* upon good consideration before the *scire facias* awarded shall be good to him, if he is not consenting to defraud the Queen, &c.

XXIII. This Statute shall extend to all officers of receipts and accompts to her Majesty and to none other.

XXIV. If the debt grow in the Courts of the Duchie or Ward, a privy seal shall issue out against the heir to appear at a certain day to shew cause, &c. when if he appear not upon *affidavit* made that it was duly served, an attachment with proclamation shall issue out against him to be proclaimed in some open Market in the County where he dwells twenty dayes (at least) before the return thereof, whereupon if he appear not, the lands, &c. shall be sold and disposed, as aforesaid.

XXV. The heirs lands shall not be sold, during his minority, but at any time within eight years after his full age they shall be liable as aforesaid.

XXVI. If the Accomptant or Debtor had a *Quietus est* in his life-time, that shall discharge the heir of the debt.

XXVII. Stat. 7. *Ja.* 15. No debt shall be assigned to the King, &c. by any debtor or Accomptant, other then such debts as did before grow due originally to the Kings Debtor or Accomptant *bonâ fide*.

XXVIII. All grants and Assignments of debts to the King, &c. contrary to the true intent of this Act shall be void.

Decies tantum.

I. Stat. 38. *E.* 3. 12. If a Juror take any thing of either party to give his verdict, and be attainted thereof by proceſſe conteined in the Article of *Jurors* of the 34. *E.* 3. 8. (which see in *Jurors*,) he shall pay ten times so much as he hath taken, to be divided between the King and the prosecutor; And all Embraceors that procure such Inquest shall incur the like punishment.

I. If the Juror or Embracoor have not whereof to make gree, he shall suffer a years imprisonment.

II. But no Justice or other Officer shall inquire of this offence *ex officio*.

Declaration.

I. Stat. 36.E.3.15. By the ancient termes and forms of plead-ers, no man shall be prejudiced, so that the matter of the action be fully shewed in the Declaration and in the writ.

Deeds and writings.

I. Stat. 1.M. Parh. 1. Sess. 2. Chap. 4. All Statutes, Recognizances, and writings made by or to any person since the sixt of July last, and before *Hugues* under the name of any other then the Queen shall be good.

II. This Act shall not extend to make good any letters patents, commissions, grants, or other writings made by the Lady *Jane Dudley* since the said sixt of July last.

Demurrers.

I. Stat. 27.El. 5. After Demurrer joyned and entered the Judge shall proceed and give judgment according to the right of the cause and matter in law, without regard to any defect in the proceeding, except such onely as the party shall expresse, together with his demurrer; after which time no judgement shall be reversed by writ of Error for any other defect, then such as he shall there mention; And if there happen to be any other, the Judges may amend them.

II. This Act shall not extend to the proceeding in an Appeal of felony or murder upon an Indictment, Presentment, or penal statute.

Dilapidations.

I. Stat. 13. El. 10. If any Ecclesiastical persons, who are bound to repair the buildings, whereof they are seized in right of their place or Function, suffer them to fall into decay for want of repair, and make fraudulent gifts of their personal estate, with purpose to hinder their successors from recovering dilapidations against their executors or Administrators: In such case, the successor shall have like remedy in the Ecclesiastical Court against the grantee of

ſuch perſonal eſtate, as he might have had againſt the executor or adminiſtrator of the predeceſſor.

II. Stat. 14. El. 11. All moneys recovered for dilapidations ſhall within two years be employed upon the buildings, for which they were paid, in pain to forfeit to the Queen, &c. double ſo much as ſhall not be ſo employed.

Deceit.

I. Stat. 1. 29. 3. E. 1. If any perſon do act or conſent to any thing in deceit of the Court or party, and thereof be attainted, he ſhall ſuffer a year and a dayes imprisonment at leaſt; and if he be a pleader he ſhall be alſo expelled the Court; and if they ſhall deſerve greater puniſhment, it ſhall be at the Kings pleaſure.

II. Officers, Criers of Fee, and Marshals of Juſtices in Eyre ſhall not take money otherwiſe then they ought to do, in pain to pay the treble thereof to the complainants.

III. Stat. 2. E. 3. 17. A writ of deceit ſhall be maintainable as well in caſe of garniſhment touching Plea of land, as in caſe of ſummons in plea of land.

Discontinuance of right or eſtate.

I. Stat. 11. H. 7. 20. If a woman, that hath an eſtate in Dower for life, or in tail joynly with her husband, or ſolely to her ſelf, or to her uſe in any lands, &c. of the Inheritance or purchaſe of her husband, or given to the husband and wife by the husbands, ancestors, or any ſeized to the uſe of the husband or his ancestors, ſole, or (with an after-taken husband) diſcontinue or ſuffer a recovery by covin, it ſhall be void, and he, to whom the land ought to belong after the death of the ſaid woman, may enter (as if the woman were dead) without diſcontinuance or recovery.

II. Provided, that the woman may enter after the husband's death; but if the woman were ſole, the recovery or diſcontinuance barreth her for ever.

III. This Act extends not to any recovery or diſcontinuance by the heir next inheritable to the woman, or by his conſent of record enrolled.

Discontinuance of proceſſe.

I. Stat. 11. H. 6. 6. No ſuit before Juſtices of Peace ſhall be continued by a new Commiſſion of Peace.

II: Stat. 1.E.6.7. The death of the King shall not discontinue any suit betwixt party and party, neither shall the variance between the original and judicial processe in respect of the Kings name be material, as concerning any default to be alledged therefore.

III. Affizes of Novel disseisin, Mortd'ancester, Juris utrum, or Attaints shall not be discontinued by reason of death, new Commissions, Associations, or the not coming of the same Justices, or any of them.

IV. Preferment of the demandant or plaintiff to be Duke, Archbishop, Marquess, Earl, Vicount, Baron, Bishop, Knight, Justice of the one the Bench or other, or Serjeant at law, shall not make the suit abarable.

V. Preferment of a Justice of Assize, Gaol-delivery, or Peace, or of any other Commissioner to the dignities aforesaid, or to be Sheriffe, shall not lessen his power. *But note that to be Sheriff, is altered by 1. M. Parl. 1. 8. which see in Sheriffs.*

VI. New Justices of Gaol-delivery may give judgement of a prisoner found guilty of treason or felony, though he were replevied by other Justices.

VII. No processe or suit before Justices of Assize, Gaol-delivery, Oyer and Terminer, or Peace, or other of the Kings Commissioners shall be discontinued by a new Commission, or by the alterations of any of their names.

Dispensations.

I. Stat. 28.H.6.16. All Bulls, Breves, Faculties and Dispensations from the Bishop or See of Rome to any of the Kings subjects in any of the Kings Dominions shall be void, and shall not be used in pain of a *Premunire*.

II. Former lawful marriages are confirmed.

III. A confirmation of all Archbishops, and Bishops, and their authority, and of other Ecclesiastical persons and orders by authority of this Act, and not by any foreign power.

IV. The effect and contents of all Bulls, Breves, and other faculties purchased of the See of Rome, which are allowable, shall be confirmed under the great Seal.

Distresses.

I. *Stat. de districtione Scaccarii*, 51. H. 3. The owner of impounded cattel may give them food without disturbance.

II. A distresse taken for the Kings debt shall not be sold, within fifteen dayes, and upon shewing of a tallie, and giving surety for his appearance in the Exchequer upon the next accompt, the distresse shall cease: the Sheriff shall also attach the party that received the debt to be there also at the same time.

III. Neither draught nor cattel, nor sheep shall be distreined (except for *Damage-fesant*) so long as other goods may be found to satisfy the debt: distresses shall be reasonable; The Sheriffe shall answer all debts received; and where the Sheriff chargeth himself the debtor shall be acquitted.

IV. *Parlb.* 1. 52. H. 3. All persons (high and low) shall receive justice in the Kings Court.

V. None shall take any distresse of his own authority without award of our Court, in pain (upon conviction thereof) to be punished by fine, according to the trespass; and the party grieved shall be also recompenced his losse.

VI. *Parlb.* 2. 52. H. 3. None shall distrein any to come to his Court, that is not of his Fee, or upon whom he hath no jurisdiction; neither shall distresses be taken out of the fee or place where he hath no jurisdiction, in pain that the offender shall be punished, as before.

VII. *Parlb.* 3. 52. H. 3. If any will not suffer distresses to be delivered by the Kings officers, or summons, attachments, or executions of judgements given in the Kings Court to be done, he shall be punished, as aforesaid.

VIII. If a Lord distrein his tenant for a thing, for which he hath cause to distrein, and yet it is afterwards found not to be due; in such case, if the Lord suffer the distresse to be delivered, he shall not be fined; but onely amerced; nevertheless the tenant shall also recover his damages against him.

IX. *Parlb.* 4. 52. H. 3. None shall drive a distresse out of the County wherein it was taken, in pain to make fine, as before: And if a Lord presume so to do against his tenant, he shall be grievously amerced.

X. None shall take an unreasonable distresse, in pain to be grievously amerced.

XI. *Parlb.* 5. 52. H. 3. It shall be lawful to none (except the King and his officers, having special authority) to take distresses out of his fee, or in the Kings high way, or in the common street.

XII. *Stat.*

XII. *West.* 1. 16. 3. E. 1. None shall drive a distresse out of the County, or distrein wrongfully, or out of his fee, in pain to be punished, as by the Statute of *Marlb.* is provided, or more grievously, if the trespass so require.

XIII. *West.* 1. 17. 3. E. 1. If Beasts be impounded in a Castle or Fortresse, and (after convenient notice to the Impounder, &c.) not suffered to be replevied by the Sheriff, or some other of the Kings Bailiffes, the King will command that Castle or Fortresse to be demolished: and (after the first demand of the Sheriffe or Bailiffe) the Plaintiffe shall recover double damages against the Lord, or Impounder, or if the Impounder be not able, then against the Lord onely.

XIV. In this case, if the Bailiffe of the Franchises refuse to do it, then shall the Sheriffe do it himself upon the aforesaid pains.

XV. Also deliverance shall be made by attachment of the plaintiffe made without writ, and upon the same pain.

XVI. *West.* 2. 36. 13. E. 1. None shall procure any to distrein another to make him appear at the County-Court, or any other inferior Court, on purpose to vex him and put him to charge and trouble, in pain to make fine to the King, and to pay to the party grieved treble damages.

XVII. *West.* 2. 37. 13. E. 1. No distresse shall be taken but by Bailiffs known and sworn, in pain to restore damages to the party grieved, and to be grievously punished by the King.

XVIII. *Britt. Cleric.* 9. 9. E. 2. Distresses shall not be taken in the high way, nor in the ancient fees of the Church.

XIX. *Stat.* 1. 2. P. M. 12. No distresse of Cattel shall be driven out of the Hundred, where it is taken, except to a pound overt within the same Shire, nor above 3 miles distant from the place where it was so taken: neither shall a distresse be impounded in several places, whereby the owner may be constrained to sue severall *Replevins* for the delivery thereof; in pain to forfeit to the party grieved for every offence committed against this Act 5 *l.* and treble damages.

XX. None shall take above 4 *d.* for the poundage of one distresse, (and where lesse is usually taken, to take lesse) in pain to forfeit to the party grieved 5 *l.* besides what is taken above.

XXI. The Sheriff shall at his first County-day, or within two moneths, after he receives his Patent depute, and proclaim in the Shire-Town four Deputies to make *Replevins*, not dwelling above 12 miles distant one from another, in pain to forfeit for every moneth he wants such Deputy or Deputies 5 *l.* to be divided betwixt the King and the prosecutor.

I. *Britscult super Cartas*, 7. 28. E. 1. The Constable of *Dovey* Castle shall not hold plea of any forreign County within the Castle gates, except it concern the keeping of the Castle; neither shall he distrein the Inhabitants of the 5 Ports to plead elsewhere, or otherwise then they as they ought, according to the form of their Charter, confirmed by the great Charter.

Dower.

I. *Merton*, 1. 20. H. 3. A woman deforced of her Dower or *Quarentine*, in a writ of Dower shall recover damages, *viz.* the value of her dower from her husbands death to the day of the recovery of her dower, and the deforceor shall be amerced.

II. *West.* 2. 48. 3. E. 1. In a writ of Dower (*unde nihil habet*) the writ shall not abate by the exception of the tenant, that she hath received her Dower of another before the writ purchased, unless he can shew, that she received part of her Dower of himself and in the same Town before the writ purchased.

III. *West.* 2. 4. 13. E. 1. The wife shall be indowable, as well where land was recovered against her husband by default as by covin; so that albeit the land was lost by the husbands default, yet that shall be no good allegation for the tenant, but he must then proceed and shew his right, otherwise the wife shall recover.

IV. When Tenant in dower, in Frank Marriage, by the courtlesie, for life, or in tail lose their land by default, and the tenant is compelled to shew his right, they may vouch the reversioner, if they have warrantie; and then the plea shall passe betwixt the tenant and the warranter according to the tenor of the writ, by which the tenant recovered by default; and so from many actions they shall resort to one judgement, *viz.* that the demandants shall recover that demand, and the tenants shall go quit.

V. Here, if the action of such a tenant, which is compellable to shew his right, be moved by a writ of right, albeit the great Assize or Battail cannot be joyned by words accustomed, yet shall it in that case be joyned by words convenient.

VI. If the wife be wrongfully endowed by the Guardian during the minority of the heir, he (at full age) shall be righted; yet shall the wife retain her just dower, if she make her title good.

VII. In this Statute in place of a writ of right, a *Quod ei deforceat* is given to tenant in dower, in free marriage by the courtlesie for life, and in tail, upon losing by default.

VIII. Stat.

VIII. Stat. 1. E. 6. 12. The wife shall be endowed albeif her husband were attainted, convicted, or outlawed for treason or felony, saving the right of others. *But note that this Clause is altered for treason by 5. E. 6. 12. which see in Treason.*

Drapery.

I. Stat. 11. E. 3. 3. No clothes made beyond Sea shall be brought into the Kings dominions, in pain to forfeit the same, and to be further punished at the Kings will.

II. Stat. 11. E. 3. 5. Cloath-workers of strange lands which come into the Kings dominions, shall have the Kings protection, dwell wherthey please, and have convenient franchises granted unto them.

III. Stat. of Clothes, 25 E. 3. Stat. 4. All Clothes vendible shall be measured by the Kings Aulnager or his Deputies.

IV. Every cloth of Ray shall be 28 yards long, and six quarters broad, and is to be measured by the List; also the length of a coloured cloth shall be 26 yards, and the breadth six quarters and an half, and such clothes are to be measured by the back: *But this Statute for the measure is altered by 27. E. 3. Stat. 4.*

V. Stat 27. E. 3. Stat. 1. 4. Clothes shall not be forfeit for want of measure, but the Aulnager shall measure them, and fix a mark thereunto, expressing what each cloth contains; And he shall take for his fee of the seller an half peny for every cloth which is of Assize, and a farthing for an half cloth, but he shall take nothing for lesser clothes, neither shall he meddle with clothes which are not to be sold, and the buyer shall pay according to the quantity of the cloth.

VI. A subsidie granted to the King of every cloth, viz. a cloth (not grained) of Assize 4 d. the half cloth 2 d. Scarlet 6 d. and 3 d. half grained 5 d. and 2 d. ob.

VII. Every cloth passing half a cloth by three yards shall pay subsidie for a whole cloth.

VIII. No subsidie shall be paid for an half cloth, nor for cloth made for a mans own use, or sealed by the Aulnager for subsidie paid before.

IX. Clothes put to sale before they be sealed shall be forfeited to the King.

X. Stat. 50. E. 3. 7. Woollen clothes shall not be transported beyond Sea, or pay subsidie before they be fulled.

XI. Stat. 50. E. 3. 8. Clothes called *Frise-ware* made of Irish wooll

I. **Brittain super Cartas**, 7. 28. E. 1. The Constable of **Dover** Castle shall not hold plea of any forreign County within the Castle gates, except it concern the keeping of the Castle; neither shall he distrein the Inhabitants of the 5 Ports to plead elsewhere, or otherwise then they as they ought, according to the form of their Charter, confirmed by the great Charter.

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III. **West.** 2. 4. 13. E. 1. The wife shall be indowable, as well where land was recovered against her husband by default as by covin; so that albeit the land was lost by the husbands default, yet that shall be no good allegation for the tenant, but he must then proceed and shew his right, otherwise the wife shall recover.

IV. When Tenant in dower, in Frank Marriage, by the courtesie, for life, or in tail lose their land by default, and the tenant is compelled to shew his right, they may vouch the reversioner, if they have warrantie; and then the plea shall passe betwixt the tenant and the warrantier according to the tenor of the writ, by which the tenant recovered by default; and so from many actions they shall resort to one judgement, *viz.* that the demandants shall recover that demand, and the tenants shall go quit.

V. Here, if the action of such a tenant, which is compellable to shew his right, be moved by a writ of right, albeit the great Assize or Battail cannot be joyned by words accustomed, yet shall it in that case be joyned by words convenient.

VI. If the wife be wrongfully endowed by the Guardian during the minority of the heir, he (at full age) shall be righted; yet shall the wife retain her just dower, if she make her title good.

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III. Stat. of Clothes, 25 E. 3. Stat. 4. All Clothes vendible shall be measured by the Kings Aulnager or his Deputies.

IV. Every cloth of Ray shall be 28 yards long, and six quarters broad, and is to be measured by the List; also the length of a coloured cloth shall be 26 yards, and the breadth six quarters and an half, and such clothes are to be measured by the back: *But this Statute for the measure is altered by 27. E. 3. Stat. 4.*

V. Stat. 27. E. 3. Stat. 1. 4. Clothes shall not be forfeit for want of measure, but the Aulnager shall measure them, and fix a mark thereunto, expressing what each cloth contains; And he shall take for his fee of the seller an half peny for every cloth which is of Assize, and a farthing for an half cloth, but he shall take nothing for lesser clothes, neither shall he meddle with clothes which are not to be sold, and the buyer shall pay according to the quantity of the cloth.

VI. A subsidie granted to the King of every cloth, viz. a cloth (not grained) of Assize 4 d. the half cloth 2 d. Scarlet 6 d. and 3 d. half grained 5 d. and 2 d. ob.

VII. Every cloth passing half a cloth by three yards shall pay subsidie for a whole cloth.

VIII. No subsidie shall be paid for an half cloth, nor for cloth made for a mans own use, or sealed by the Aulnager for subsidie paid before.

IX. Clothes put to sale before they be sealed shall be forfeited to the King.

X. Stat. 50. E. 3. 7. Woollen clothes shall not be transported beyond Sea, or pay subsidie before they be fulled.

XI. Stat. 50. E. 3. 8. Clothes called *Frise-ware* made of Irish

wool shall pay no subsidie or Aulnage.

XII. Stat. 3. R. 2. 2. The Aulnager shall not scale a peeced cloth, in pain that the Owner shall forfeit the cloth and the Aulnager his Office.

XIII. If he scale a cloth, which is not of Assise, he shall forfeit the value of the cloth and his Office; and besides suffer imprisonment and be ransomed at the Kings will.

XIV. Stat. 7. R. 2. 9. A confirmation of all Statutes made against deceit in clothes to be sold, and against Aulnagers and Collectors of the subsidie of clothes.

XV. He that findeth defects in any clothes contrary to former Statutes shall have the value of the third part of such clothes, which neverthelesse shall be answered to the King by the Aulnager together with the rest of the clothes forfeited.

XVI. Stat. 13. R. 2. 10. Cogware and Kendal cloth shall not be subject to the Statutes of Assise of cloth, but shall be made of such length and breadth, as formerly, so it be also made of such course wool as formerly.

XVII. Stat. 13. R. 2. 11. No plain clothes tacked or folded made in the Counties of Somerset, Dorset, Bristol, and Gloucester shall be put to sail before they be opened, in pain to forfeit them.

XVIII. The Workers, Weavers, and Fullers shall put their Seals to every cloth, upon a certain pain to be limited by the Justices of Peace.

XIX. Stat. 17. R. 2. 2. No cloth shall be sold before it is measured and sealed by the Aulnager, upon the paines contained in the Statutes thereof made.

XX. No deceit shall be used in Kerseyes, in pain to forfeit the same.

XXI. Stat. 4. H. 4. 24. The Aulnage may be let to farm by improvement, according to the discretion of the Lord Treasurer and Barons of the Exchequer, notwithstanding the Statute of the 17. R. 2. which see in Officers.

XXII. Stat. 9. H. 4. 2. No cloth called Kendall, whereof the dozen passeth not 6 s. 8 d. shall be scaled, neither shall any Aulnage be paid for the same.

XXIII. Stat. 11. H. 4. 6. None shall rack or plight together clothes before the Aulnager hath set his Seal unto them, in pain to forfeit the same.

XXIV. If the Aulnager be attainted to do contrary to this Statute, he shall forfeit to the King for the first offence 10 l. And for the second 20 l. And for the third offence, his bodie shall be arrested,

ed, and all his Goods and Chattels at the Kings will: And here the prosecutor shall have a fourth part of the said forfeitures of 10. and 20 l. saving to the Lords and other their Franchises.

XXV. Stat. 11. H. 6. 9. This word *Cloth* in the aforesaid Statutes of 7. H. 4. 10. and 11. H. 4. 6. shall be understood of *Broad loth* and *broad dozens*, and not of *Streets*.

XXVI. Every man may make and sell all Streets containing in length 14. yards, and in breadth one yard, unwatered, or else 12 yards, watered, paying to the King the due Aulnage, subsidie, customs, and other devoirs.

XXVII. If Streets want the aforesaid length and breadth, The Aulnager shall cut off the list thereof at one of the ends, to the end it may be afterwards sold as a remnant, and not for a cloth.

XXVIII. No such clothes shall be put to sale, until they be measured, searched, and sealed by the Aulnager, in pain to forfeit the same.

XXIX. The Aulnager, that sealeth any Streets wanting the length and breadth aforesaid, and cutteth not off the list, as aforesaid, shall forfeit to the King for every such piece of defective cloth 6 s. 8 d.

XXX. Stat. 4. E. 4. 1. Broad-cloth made fit for sale shall contain in length 24 yards with a mans Inch to be added to every yard, and is to be measured by the crest; and in breadth 2 yards or 7 quarters at least within the lists: and if the cloth be longer, the buyer shall pay for it (over and besides) according to the rate.

XXXI. Streets made fit for sale shall containe twelve yards and three such inches in length, and one yard in breadth, within the lists.

XXXII. Kerseyes made fit for sale shall contain 18 yards and 3 inches in length, and in breadth a yard and a nail, or (at least) a yard within the lists.

XXXIII. Every half Cloth, Streets, and Kersey shall keep his measure in length and breadth according to the rate of the whole cloth respectively.

XXXIV. None shall put into cloth to be sold any lambs wool, flocks, or corke, in pain to forfeit 20 s. for every cloth or halfe cloth so mingled, to be divided betwixt the King and the prosecutor.

XXXV. Provided that cloth may be made of Lambs wool onely, and corke may be used in dying upon woaded wool, and of cloth made onely of woaded wool, the said wool and cloth being perfectly boiled and maddered: corke also may be put upon cloth. perfectly boiled and maddered.

XXXVI. Every

XXXVI. Every piece of cloth shall be perfectly wrought throughout the whole piece according to the same order of workmanship.

XXXVII. If any difference in weaving, fulling, knotting, or barking, or any raw, skaw, cockle or flag happen therein, a seal of lead shall be hanged in the lowest part of the edge thereof, to the end the buyer may take notice thereof.

XXXVIII. Clothes, Streets and Kerseys of a true length, breadth and making shall be sealed at the end thereof with a double print of lead.

XXXIX. Clothes, Streets and Kerseys not containing the due length and breadth, or not perfectly made, and two parts thereof perfectly made, keeping their said length and breadth, every such piece shall be sealed in form aforesaid.

XL. If a Cloth, Street, or Kersey be longer then an half Cloth and shorter then an whole one, and yet have the due breadth, and be perfectly wrought, it shall have a seal differing from the other two aforesaid, and fixed to the end thereof.

XLI. A Cloth, Street, or Kersey lesse then an half Cloth shall be sealed at the end thereof by a Seal differing from all the rest.

XLII. All the said Seals are to be ordained by th Lord Treasurer for the time being, who hath power to make as many Keepers of them, as he shall think necessary, so as none of them be Aliens.

XLIII. These Keepers shall yearly render an account of the revenue of their Offices without paying any fees for the same, and shall also be rewarded by the Treasurer and Barons according to their labour and diligence.

XLIV. If any of the said Keepers be found faulty or corrupt in his Office, refuse to seal, extort more then his due fees, or refuse to shew his Commission upon sealing or measuring any such cloth, he shall forfeit twenty shillings to be divided betwixt the King and the prosecutor, and to be recovered in the Exchequer.

XLV. This Statute and others heretofore made and in force, which concern the premises, shall be inserted in every such Keeper or *Aulnagers* Commission.

XLVI. The Clothier shall pay to his work-folks their wages in ready money, and not in wares, as formerly, in pain to forfeit to such work-folks treble damages, and shall deliver them wool according to due weight, in pain to forfeit six pence for every such default.

XLVII. Every Carder, Spinster, Weaver, Fuller, Shearman, and Dyer, shall duly perform their duty in their occupation, in pain to forfeit double damages to the party grieved; and every Fuller in

ling, Rowing, or taseyling of Cloth shall use rasels and not Cards, in pain to yield double damages to the party grieved.

XLVIII. Every Justice of Peace, Constable of an Hundred, or Steward of a Leet out of Corporations, and in Corporations every Head-officer or Officers where no master is, and every Master shall hear and determine such complaints as well concerning the non-payment of the Labourers wages as the damages aforesaid, for which said damages they shall also have power to commit the offender to prison, until the party grieved be satisfied.

XLIX. The said Justice and Officers have power at the instance of any other person to inquire after, and punish such offenders by inflicting 3s. 4d. upon them, to be paid to the King or other Lord of the Liberty, where such offence is committed.

L. No Cloth made in any other Region (except in *wales, Ireland,* or taken at Sea without fraud) shall be brought into *England* to be sold, in pain to forfeit the same.

LI. Stat. 7. E. 4. 2. The inhabitants of the Hundreds of *Lifton, Tavestock,* and *Rowburgh* in *Devon*, may put flocks into their Clothes, notwithstanding the Statute of 6. E. 4. 1. *Vide supra.*

LII. Stat. 7. E. 4. 3. No person, Denizen, or Stranger, shall carry beyond Sea any Woollen Yarn or Cloth not fulled, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

LIII. Stat. 17. E. 4. 5. Woollen Clothes, half Clothes, Streets, and Kerseys, being perfect in making and measure shall be sealed with Wax at both ends, except in *London* and *Bristol*, which shall be sealed with lead.

LIV. The Lord Treasurer hath power to let to farm the Subsidy and Aulnage of Clothes, and also the Moity of all forfeitures of Clothes not duly sealed, for which they shall be accomptable in the Exchequer.

LV. Stat. 1. R. 3. 8. Broad Cloth shall be fully watered before it be put to sale, and every whole Cloth, and also Broad Cloth being watered ready for sale, shall contain in length 24 yards, each yard having a mans inch added thereunto, to be measured by the crest, and shall also contain in breadth two yards within the lifts.

LVI. Every half such Cloth shall contain in length 12 yards with inches, and to be measured by the crest, as aforesaid, and in breadth two yards within the lifts.

LVII. The half Cloth shall not exceed 16 yards in pain of cutting the whole Cloth in three pieces, and the half Cloth in two pieces; and to lose for every whole Cloth 6 s. 8 d. and for every half Cloth

Cloth 3 s. 4 d. not fully watered, or not keeping the said measures.

L VIII. If a whole cloth or half cloth exceed these measures, the buyer shall pay for the excess: Howbeit the halfe cloth must not passe 16 yards.

L IX. Streets shall contain in length 12 yards with inches, as aforesaid, and in breadth one yard within the lists, in pain to have each of them cut in two pieces, and besides to forfeit for each of them 20 d.

L X. Kerseys shall contain in length 18 yards with inches, as aforesaid, and in breadth one yard and a nail at least, in pain to have them cut, as aforesaid, and to forfeit for each of them three shillings four pence.

L XI. The Lord Treasurer shall appoint scales for cloth to be made, having the Kings armes printed on the one side, and the armes, signe or token of the City, Burrough, or Town, or the name of the County where they are made, on the other side.

L XII. The Lord Treasurer shall make none Aulnager, Sealer, or Keeper of the Seal, but him that is expert in Cloth-working, and worth 100 l. at least; and the officer so deputed shall sell no cloth, but such as is made within the limits of his deputation, in pain to forfeit to the King for every whole cloth 5 Marks, for an half cloth 33 s. 4 d. for a Street 20 s. and for a Kersey 10 s.

L XIII. None shall set or draw in length or breadth any Cloth fully watered by tentoring or otherwise, in pain to forfeit the same.

L XIV. None shall set, cast, or put upon cloth any flock, chalk, or other deceitful thing, in pain of 40 s. for every cloth so used.

L XV. No Shearman or other shall shear or cancel any cloth not fully watered, upon the like pain of 40 s. for every cloth.

L XVI. None shall convey any cloth beyond Sea, not fully watered, and after it is so watered, it shall not be set or drawn in length or breadth, in pain of forty shillings for every cloth so conveyed.

L XVII. None shall retail cloth before it be fully watered, and being so watered it shall not be set or drawn, as aforesaid in pain that the feller shall forfeit the said cloth, or the value thereof.

L XVIII. None shall keep in his house any tentor or other machine, whereby cloth may be drawn in length or breadth, in pain of 20 l. but tentors shall be set in open places, and used onely for the due stretching of cloth after it cometh from the Mill, and before it be rowen; And all Head officers shall take care that cloth put upon

upon tenters shall not be unduly drawn in length or breadth.

LXIX. No stranger shall buy any wool, which shall pass through the Straits of *Marroke*, sorted, clacked, or barked, nor any wool whereof any locks or refuse shall be made, but such as is clipped and purely wound without deceit and Merchantable, according to the growing of the Countrey, without such sorting, clacking or refuse, as aforesaid, in pain to forfeit such wool, and the double value thereof.

LXX. No Dier shall die any cloth with Orchel or Cork, in pain of 40s. neither shall any put to sale any cloth so dyed, in pain to forfeit the same: Howbeit cork made within this Realm may be used in dying upon woolwards, so that the wool and cloth be perfectly boiled and maddered: also such English cork may be put upon cloth that is perfectly boiled and maddered.

LXXI. Every Dyer shall dye both the cloth and the list with one and the same colour, in pain to forfeit the same.

LXXII. None shall put to sale any cloth deceitfully dyed, in pain to forfeit the same, or the value thereof.

LXXIII. Faulty cloth shall be brought to the chief Officer of the place where it is seized, and shall be cut into three parts, whereof the seizer shall have one, another shall be by him carried into the Exchequer, and the third the said Head-officer shall have for the use of the Commonalty.

LXXIV. All other forfeitures of this Act shall be divided betwixt the King and the prosecutor.

LXXV. This Statute shall not extend to cloth, called Ray, of joyncd with Ray, Plonkers, Turkins, Celestines, Packing whites, Vesses, Cogware, Worstedes, Florences, Bastards, Kendals, sailing ware, or Frize ware; The said clothes being perfectly made, according to their nature, and true making.

LXXVI. Stat. 3.H.7.11. None shall transport any woollen before it be barbed, rowed, and shorne, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor; except Vesses, Rayes, sailing clothes, and others sold at 40s. or under.

LXXVII. Stat. 3.H.8.7. The Statutes of 7.E.4.3. and 3.H.7.11. are confirmed; onely Vesses, Rayes, sailing clothes, and others, not exceeding 4 marks the cloth, may be transported.

LXXVIII. Stat. 5.H.2. None shall make white Streets to sell, but when they are raw, ready to be toked, and being a yard and half a quarter broad, and 15 yards long, and except the maker set his special mark upon them, neither shall any use anothers mark,

mark, in pain to forfeit the clothes otherwise made or marked, to be divided betwixt the King and the seizer.

L X X I X. Stat. 5. H. 8. 3. White clothes at five marks and under may be conveyed beyond Sea unbarbed, unshorne, and unrowed.

L X X X. None shall convey beyond Sea any such clothes worth above five marks the piece unbarbed, unshorn, or unrowed, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

L X X X I. Stat. 6. H. 8. 8. The Statute of 5. H. 8. 2. is made perpetual: And none shall make white or russet Streets, which (being raw) shall not be of length and breadth, and marked, as by the said Statute of 5. H. 8. 2. is ordained, and shall not weigh 14 pounds the piece at least, in pain to forfeit the same, to be divided betwixt the King and the seizer.

L X X X I I. Stat. 6. H. 8. 9. The wool delivered by the Clothier for Breaking, Kembering, Carding, or Spinning, shall be by just weight of *Avoirdupois*, not exceeding above one quarter for the waste in 12 pounds of scimed Wool; and the Breaker, Kember, Carder, and Spinner shall redeliver to the Clothier the same wool, or woollen yarn by the same weight (the waste thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to forfeit to the Lord of the Leet, where the work is done, for every such default 12 d. upon proof thereof before the Head-officer there, calling to him fit persons to prove the same.

L X X X I I I. The Weaver shall put all the yarne delivered unto him into the web, or restore it, without putting any thing deceitfully thereinto, in pain of 3 s. 4 d.

L X X X I V. None shall buy any coloured Wooll or yarn of any Carder, Spinner, or Weaver, but in open Market, in pain to forfeit the same.

L X X X V. The Walker and Fuller shall duly work every Web without flocks or other deceit, and shall not row or work it on either side with Cards, in pain of 6 s. 8 d.

L X X X V I. None shall put to sale any cloth, (which being wet) shall shrink above one yard in length, and one quarter in breadth for the more part thereof, or Narrows or Streets after that rate, in pain of 6 s. 8 d. and to abate the buyer for such defect.

L X X X V I I. None, after he hath bought Cloth, shall draw or strain it in length or breadth with tentor, wrinch, or otherwise in pain of 5 l.

L X X X V I I I. Provided, that such buyer (having for proof

take fully wet cloth) may draw and strein them for evening them onely, so that he exceed not one yard of the length it had, when it was fully wet.

LXXXIX. None shall put upon clothes any flocks or other deceit, in pain of 20 s.

XC. The buyer and seller of clothes shall measure them by yard and inch of the Rule, and not otherwise, in pain of 5 l.

XCI. The forfeitures aforesaid shall be divided betwixt the King and the prosecutor.

XCII. This Act shall not extend to *Kendals*, *Carpenet Whites*, *Tostocks* made in *Devon*, Clothes made in *Cornwal*, *Cottons* or *Frize* made in *Wales*, *Lancashire*, or *Cheshire*.

XCIII. Stat. 14. & 15. H. 8. 11. The Statute of 6. H. 8. 9. Touching the shrinking of clothes shall not extend to *Vesties* or *ser clothes*, when they exceed not the value of 40 s. the cloth.

XCIV. Stat. 25. H. 8. 18. None shall make cloth in *Worcestershire*, but onely such as dwel in *Worcester*, *Evesham*, *Droitwiche*, *Kedderminster*. and *Broinisgrave*, in pain to forfeit for every cloth elsewhere made 40 s.

XCV. This Act shall not extend to clothes made for any persons own use, their children, or servants.

XCVI. Stat. 27. H. 8. 12. Every Clothier shall cause his mark to be woven in his Clothes and *Kerseyes*, and shall set a seal of lead thereunto, shewing the true length thereof, as they will hold being wet; and in case of defect, the Clothier shall forfeit the double value thereof to the buyer.

XCVII. If the Clothier put any Clothes to sale before they be sealed by the Aulnager, or order them not, as aforesaid, they shall be forfeited, and divided betwixt the King and the prosecutor.

XCVIII. Broad-cloth shall hold seven quarters in breadth, betwixt the lists, being proved by the water, and *Kerseyes* one yard, in pain of 3 s. 4 d. for that, and 20 d. for this, to be divided betwixt the King and the prosecutor.

XCIX. This Statute shall not extend to sel clothes not exceeding seven Nobles the cloth, nor to *Favestocks*, *Western Dozens*, *Frizes*, *Kendals*, *Cottons*, nor coarse clothes made for linings.

C. The Aulnager shall not seal clothes, until they be sealed by the aforesaid seal of content, in pain to lose his Office, neither shall the buyer afterward alter them by stretching, unless he after reduce them to the right content again, in pain to forfeit the double value thereof, to be divided as aforesaid.

CI. Stat.

C I. Stat. 27. H. 8. 13. Every white Woollen cloth sold for 4 *l.* and under, and every coloured cloth sold, for 3 *l.* and under may be conveyed beyond Sea unbarbed, unshorn, and unrowed; but none shall convey such clothes beyond Sea, above these prices, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

C II. Stat. 33. H. 8. 3. Welsh clothes called Whites, Russers, and Kennets, brought into Fairs or Markets to be sold, shall be folded in plights or cuttles, and not hard rolled together, in pain to forfeit the same, to be divided betwixt the King and the prosecutor.

C III. Stat. 33. H. 8. 19. None shall ship any white Woollen cloth above the value of 4 *l.* nor coloured above 3 *l.* unrowed, unbarbed, or unshorn, with an intent to convey it beyond Sea, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the prosecutor.

C IV. Stat. 3. & 4. E. 6. 2. Every Clothier shall set his seal of lead to his cloth, declaring the just length thereof, to be tried by the water.

C V. None shall stretch any cloth above a yard & a half in length, and a quarter in breadth, in pain of 40 *s.*

C VI. None upon the said pain shall put to sale any cloth which (being wet) shall shrink above a yard and a quarter in length, or a quarter in breadth; neither shall Streats or Kerseys be stretched, above a yard in length, and half a quarter in breadth, in pain of 20 *s.*

C VII. None shall put to sale any cloth, Narrow, Streat, or Kersey, the pieces whereof (being wet) shall shrink more then after the same rates, in pain of 20 *s.*

C VIII. None shall die any clothes before it be perfectly boiled, greived, or maddered upon the Wood, and well shot with good cork or orchal, in pain of 20 *s.*

C IX. None shall die any wool to be converted into cloth, hats, or caps, before it be perfectly woaded, boiled, and maddered, in pain to forfeit for every such cloth, or so much wool as makes a cloth 40 *s.* neither shall any dye with brasil to make a false colour in cloth, wool, hats, or caps, in pain of 20 *s.*

C X. None shall put upon cloth any flocks, chalk, flower, starch, or other deceivable thing, in pain of 40 *s.*

C XI. None shall use any Iron cards or pickards in rowing of cloth, in pain to forfeit the same, and 20 shillings besides.

C XII. None shall sell any cloth by other measure then yard and

and Inch, according to the Statute of 6.H.8.9. in pain to forfeit for every yard otherwise measured 6 s. 8. d.

CXIII. None shall put to sale within this Realm any cloth pressed, in pain to forfeit the same, or the value thereof.

CXIV. Justices of Peace and Head-officers shall in their several Precincts appoint and swear Overseers, for the due observing of this Statute concerning the well-ordering of cloth, who shall have power to make search accordingly.

CXV. The forfeitures for defaults in cloth (mentioned in that Statute) shall be recovered in any Court of Record, and shall be divided betwixt the King and the Overseer, that discovers them; but in case the Overseers will not sue for them within half a year, then may any other within another half year take the suit, and shall have the Overseers moiety.

CXVI. No Overseer duly chosen shall refuse to execute that office, in pain of 40 s. and shall remain in the custody of the Sheriffe, until he pay it, or give security for it; and this shall be divided betwixt the King and the Justices of Peace or Head-officers that chose him.

CXVII. The Overseers or two of them (at least) shall once every Quarter make due search for the true executing of this Statute, in pain of 10 l. to be divided betwixt the King and the prosecutor.

CXVIII. None shall interrupt the Overseers in the due execution of their office, in pain of 20 l. to be divided betwixt the King and the Overseers so interrupted.

CXIX. None shall take advantage of the forfeitures given by this Act, unless the suit for them be commenced within one year after they accrue.

CXX. Every Clothier shall cause the Letter E. crowned to be wrought in every cloth, in pain of 20 s. to be divided betwixt the King and the prosecutor.

CXXI. Stat. 5. & 6. E. 6. 6. Every broad cloth made in Kent, Sussex or Redding, or of like making with them (being thorow wet) shall contain in length betwixt 28 and 30 yards usual measure, and in breadth seven quarters throughout within the lifts, and being well scoured, thicked, milled, and dried, shall weigh 90 pounds at least.

CXXII. Every white cloth made in Worcester, Coventry, or elsewhere of like making (being wet) shall contain in length betwixt 29 and 30 yards with inches of the Standard, and seven quarters
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throughout in breadth betwixt the lists, and being ordered, as aforesaid, shall weigh 84 pounds at least: and every coloured cloth there shall contain like length and breadth, and shall weigh 80 pounds at least.

C X X I I I. White short Worcestersters shall contain in length (being wet) betwixt 23 and 25 yards with inches, as aforesaid, and in breadth, as aforesaid, and shall weigh 60 pounds at least.

C X X I V. Coloured long clothes made in *Suffolk*, *Norfolk*, *Essex*, and elsewhere of like sort; shall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and shall weigh 80 pounds at least: And coloured short clothes there and elsewhere shall contain in length betwixt 23 and 25 yards, and the breadth aforesaid, and shall weigh 64 pounds at least: Also coloured or white Handywarps there and elsewhere shall be of like breadth, and every yard thereof shall weigh 3 pounds.

C X X V. All whites and reds in *wilts*, *Glocester-shire*, and *Somerset*, and elsewhere of like making (being wet) shall contain in length betwixt 26 and 28 yards, and seven quarters in breadth, and weigh (being white) 64 pounds: but coloured 60 pounds at least, also Plunkets, Azures, Blues, and other coloured clothes made there: and elsewhere shall contain in length betwixt 25 and 28 yards, be of the same breadth, and shall weigh 88 pounds.

C X X V I. Ordinary Kerseys shall contain in length betwixt 17 and 18 yards, and shall weigh 20 pounds, and sorting Kerseys shall have equal length, but shall weigh 23 pounds.

C X X V I I. The length of *Devonshire* Kerseys called *Doufseins* shall be betwixt twelve and thirteen yards, and their weight 14 pounds.

C X X V I I I. The length of Broad clothes called *Taunton*, *Bridgewaters*, and the like, shall be betwixt twelve and 13 yards, and their breadth 7 quarters: And every narrow cloth made there or elsewhere of like sort shall contain in length betwixt 24 and 25 yards, and in breadth one yard, and shall weigh 34 pounds.

C X X I X. Check Kerseys and Streets shall contain in length betwixt 17 and 18 yards, and in breadth one yard, and shall weigh 24 pounds.

C X X X. Frizes in *wales* and elsewhere of like making, ready for sale and wet, shall contain 36 yards at most in length, and three quarters in breadth, and shall weigh 48 l. and every halfe piece after the same rate.

C X X X I. Northern Clothes shall be betwixt 23 and 25 yards long,

long, and seven quarters broad, and shall weigh 6*l*.

CXXXII. Douceins shall be betwixt 12 and 13 yards long, and seven quarters broad, and shall weigh 33*l*.

CXXXIII. Pennystones and Forest Whites shall be betwixt 12 and 13 yards long, and six quarters and an half broad, and shall weigh 28 pounds.

CXXXIV. *Manchester, Lancashire, and Cheshire* Cottons shall be 22 yards long, and three quarters broad, and shall weigh 30 pounds.

CXXXV. *Manchester* Rugs or Frizes shall be 36 yards long, three quarters broad, shall not be stretched above a nail, and shall weigh 48 pounds.

CXXXVI. If any put to sale any of the broad clothes above-said not of the due length, breadth, or weight above-said, they shall forfeit for every cloth defective or exceeding in length or breadth 40*s*. and for every pound it wants (not exceeding four) 2*s*. the pound, and if it want more then four, they shall forfeit 40*s*.

CXXXVII. Provided, if Broad cloth exceed the due length, by reason of the fineness or stuffy making thereof, the maker shall not incur any penalty thereby.

CXXXVIII. If any put to sale any of the other clothes above specified not of due length, breadth, and weight, as aforesaid, they shall forfeit 20*s*.

CXXXIX. None shall put any flocks or yarn made of lambs wool into any of the above-said Cloths, in pain to forfeit the same, or the value thereof.

CXL. None shall put any cloth or kersey to sale, before they have paid the Aulnager his due fee, in pain of 20*s*.

CXLI. No cloth shall be transported before the seals of the Aulnager and owner be put thereunto, in pain to forfeit the same or the value thereof.

CXLII. No retailer of cloth shall put it to seal before he have tried it by water, measure, and weight, and shall present the defect thereof to an Head-officer, or two next Justices of Peace, in pain to forfeit the double value thereof: And the cloth found defective, shall be divided into three parts; whereof the King shall have one, the prosecutor another, and the Head-officer, or two Justices the third.

CXLIII. The Clothier shall repay to the buyer of faulty cloth his money again, or otherwise satisfie him for the same, in pain to forfeit to the party grieved the double value thereof.

CXLIV. None shall stretch cloth above a yard in length,
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and an half quarter in breadth, in pain of 5 l.

CXLV. None shall use with his tentor any wrinch, rope, ring, or other Engine to strein or stretch cloth; in pain of 20 l.

CXLVI. Two or more searchers of cloth shall be appointed in every place where cloth is made, who being sworne shall have power to enter into all houses, where cloth is made or wrought, to make search whether the clothes are well dressed and pressed with the cold presse: and the moiety of all forfeitures thereupon accruing shall the King have, and the other shall be given to the use of the Commonalty or Town, where the offence or default is committed or made.

CXLVII. The party with whom such defective cloth is found shall recover damages against the party that was the cause thereof by action of debt, &c.

CLVIII. The Head-officer of every Town shall prepare a seal of lead having the Armes and name of the Town printed thereupon, which seal the searchers shall fix to every cloth well made, and shall have for every seal so fixed 2 pence.

CLIX. If the searchers finde any faulty coloured cloth, they shall at each end fix another seal of lead having the letter F. printed thereupon, and shall also in the list (just against the fault) set another mark of an Inch compasse, to the end the buyer may readily discover where the fault is.

CL. If the searchers set the Town-seal to cloth, not sufficiently dressed, the Corporation shall forfeit the value thereof.

CLI. If the searchers set the Town-seal to faulty cloth, or do not set the seal F, and marks above-expressed thereunto, the Corporation shall forfeit 5 l.

CLII. No retailer of cloth shall put it to sale, unlesse the said Town-seal be fixed thereunto, and shall keep it fixed at one end thereof until it be all sold, in pain to forfeit the value of such cloth.

CLIII. The Corporation, that appoints not such searchers shall forfeit 10 l. And the searcher that refuseth to execute the office shall forfeit 5 l. (to be divided betwixt the King and the Corporation) and shall be in Ward, until he pay, or give security for it.

CLIV. None shall presse any cloth with the hot presse, nor in any other deceivable manner, but onely with the cold presse, in pain to forfeit the same, or the value thereof.

CLV. If any (but persons authorised by this Act) counterfeit, set to, or take away from, any clothes any of the seals appointed by this

this Act, he shall forfeit for the first offence (being thereof convicted by 12 men, two witnesses, or his own confession) 10*l.* and for the second shall stand upon the Pillory, and forfeit all his goods and chattels to the King.

CLVI. Every Article in any Statute heretofore made concerning the making, dying, dressing, pressing, searching, or sealing any of the clothes above in this Act mentioned, and being repugnant or contrariant to any article of this Statute shall be void.

CLVII. The forfeitures above-said (not otherwise appointed) shall be divided betwixt the King and the prosecutor.

CLVIII. Provided, it shall not be lawfull to boil wooll (to be converted into cloth) with gauls, rindes, bark, or sawdust, in pain to forfeit the same or the value thereof, to be recovered and had, as aforesaid.

CLIX. This Act shall not extend to *Devonshire* clothes called *Tavestocks*.

CLX. Stat. 5. & 6. E. 6. 8. No person shall weave or make, or put to weaving or making of broad woollen cloth, unlesse he hath been seven years Apprentice to that Art.

CLXI. Stat. 1. M. Parl. 2. 7. Any person may make broad cloth, and put them to weaving, walking, fulling, dying, and shearing without any impediment, so that the cloth be duely made according to the Statute of 5. & 6. E. 6. 6. notwithstanding the Statute of 5. & 6. E. 6. 8. or any other Statute of Cloth-making made to the contrary.

CLXII. Stat. 2. & 3. P. M. 11. No Clothier in any Corporation or Market-town shall keep in his house above one loom, or let any loom, or house and loom together, to make profit thereby, in pain to forfeit for every week he so keepeth or letteth them 20*s.*

CLXIII. No Weaver in the said places shall keep above two looms in his house to make profit thereof, in pain to forfeit for every week he keeps more 20*s.*

CLXIV. A Weaver (being no Clothmaker) shall not keep any Tucking-mill, nor use the art of a Tucker, Fuller, or Dyer, in pain of 20*s.* for every week.

CLXV. No Tucker or Fuller shall have in his house any loom to make profit thereof, in pain of 20*s.* for every week.

CLXVI. None shall make any broad white woollen clothes but in a Corporation, Market-town, or other place where they have been made ten years before the making of this Act, in pain of 5*l.* for every cloth elsewhere made.

CLXVII. No Weaver in a Corporation or Market-town shall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None shall be a Weaver, but he who hath been seven years an apprentice in that Art, in pain of 20 l.

CLXIX. This Act shall not extend to the Counties of York, Cumberland, Northumberland, nor Westmerland.

CLXX. Stat. 2. & 3. P. M. 12. No clothes called Bridgewater, Taunton, and Chard clothes, and made in the County of Somerset, shall be sold there, before they be viewed, searched, and sealed in Bridgewater, Taunton, or Chard, according to the Statute of 5. & 6. E. 6. 6. in pain to forfeit the cloth so sold, or the value thereof, to be divided betwixt the King and the prosecutor.

CLXXI. Stat. 4. & 5. P. M. 5. White worcesters and all others of like making being well scoured, thicked, milled, and fully dried, shall weigh 75 pounds.

CLXXII. White clothes made in the Counties of Wilts, Gloucester, and Somerset, and all others of like making, ordered as aforesaid shall weigh 61 pounds.

CLXXIII. Broad clothes made in Kent, Sussex and Reading, and all others of like making, ordered, as aforesaid, shall weigh 86 pounds.

CLXXIV. Course short clothes made in Suffolk, Norfolk, Kent and Essex, and others of like sort, shall contain at the water 6 quarters and an half in breadth.

CLXXV. Handywarpes, ordered as aforesaid, shall contain the breadth ordained by the Statute of 5 & 6. E. 6. 6. and shall weigh two pounds and an half.

CLXXVI. None shall adde handy-warp lists to their clothes (except in Worcester, and when the warpe thereof be spun upon the rock or distaffe) in pain to forfeit the cloth, or the value thereof.

CLXXVII. None in the Westriding of Yorkshire shall make any broad clothes, Pewkes, Tawnies, Violets, or Greens, except the wool thereof, being first converted into yarne, be first died blue, of the value of 2 d. the pound, in pain to forfeit such cloth, or the value thereof.

CLXXVIII. Ordinary Kerseys shall contain in length (in the water) betwixt 16 and 17 yards (yard an inch) and being ordered, as aforesaid shall weigh 19 pounds the piece. And sorting Kerseys (so ordered) shall weigh 22 pounds.

CLXXIX. Devonshire Kerseys (ordered as aforesaid) shall weigh after the rate of one pound the yard.

CLXXX. Welsh

CLXXX. Welsh Cottons (in the water) shall contain 3 quarters of a yard in breadth, and shall weigh one pound and an half the good, and being well cottoned shall weigh one pound at least.

CLXXXI. No Retailer of Cottons shall dresse it himself, or by any other, save onely by a proper dresser thereof, in pain to forfeit for every piece otherwise dressed 6 s. 8 d.

CLXXXII. *Manchester, Lancashire, and Cheshire* Cottons, and *Manchester* Rugs and Frizes may be divided into two half pieces, and shall contain in length and breadth, as by the said Statute of 5. & 6 E. 6. is ordained for the whole peece.

CLXXXIII. If any cloth or kersie exceed the length prescribed by this or the said Statute of E. 6. then every yard so exceeding shall weigh according to the rate of the due length thereof; in pain to forfeit for every yard not weighing after that rate 5 s. And if any such cloth or kersie lack any of the due length, the maker shall forfeit for every pound wanting more then 4 pounds 5 s. and for every pound under 4 pounds 2 s.

CLXXXIV. If any cloth or kersie prove defective or ill wrought, the maker thereof shall fix to each end thereof a seal of lead engraven with this word *Faulty*, in pain to forfeit such cloth and kersie, or the value thereof.

CLXXXV. If any by himself or any other counterfeit, set to, or take away any seal appointed by this or the said Statute of E. 6. he shall incur such penalties as by the said Statute of E. 6. are limited.

CLXXXVI. The Burrough or Corporation-seal shall be set to clothes, &c. being well made there, which cloth so sealed shall not be afterwards searched by the searcher of any other Corporation or Burrough.

CLXXXVII. Clothes and kerseys made out of Corporations shall be sealed in the Town Corporate,

CLXXXVIII. If any searcher or sealer set the Corporation-seal to any cloth, &c. defective in length, weight or breadth appointed by this, or that other Statute of E. 6. the Corporation shall forfeit the value thereof.

CLXXXIX. The searchers and sealers may in the day-time enter into any house to search and trie cloth, &c. and may seize clothes made of other colours, then by the said Statute of E. 6. is appointed (*Friers gray, Crane-colour, Purple, and old Medley colours, used to be made 20 years last past, onely excepted.*)

CXC. None shall denie or withstand the searcher or sealer, in pain

Pain of ten pounds.

CXC I. No searcher or sealer shall in any Fair or Market search any cloth, &c. which hath a Corporation-seal affixed thereunto.

CXC II. Every clause in the said Statute of E. 6. not repugnant to this Act is confirmed.

CXC III. None shall incur any penalty or forfeiture for any offence limited by that Act, which is mitigated or otherwise appointed by this.

CVL IV. Every Clothier shall cause the letter *M.* crowned to be wrought in each cloth, in pain to forfeit 20 s. for every cloth not so marked.

CXC V. None shall weave or make, or put to weaving or making any cloth or kerse, unlesse he have been an Apprentice to, or exercised that Art seven years before, in pain to forfeit it or the value thereof.

CXC VI. The penalties and forfeitures of this and the said Act of E. 6. (not otherwise appointed) shall be divided betwixt the King and the seizer (where seizure may be made) or otherwise betwixt the King and the prosecutor.

CXC VII. Stat. 8. El. 6. For every nine clothes unwrought, transported by licence, one shall be carried over well wrought, in pain to forfeit for every nine clothes otherwise transported 10 l. and the tenth cloth shall be none of the clothes licensed.

CXC VIII. No Kentish or Suffolk cloth shall be transported unwrought by any licence, in pain to forfeit for every cloth so transported 40 s. and no licence shall extend to any such cloth.

CXC IX. The said forfeitures shall be divided betwixt the King and the Master and Wardens of Clothworkers for the relief of the poor of that Company.

CC. Stat. 8. El. 7. He that useth the trade of buying of Frizes, Cottons, or Plaines shall not exercise the Art of Frizing Cottoning, in pain to forfeit for every peece so used 6 s. 8 d.

CCI. Those that use the trade of buying Welsh cloth or linings shall pay to their workmen readie money, in pain to lose their Freedom.

CCII. Stat. 8. El. 12. None shall put to sale in Lancashire, or carry out of that County any cloth, Cotton, Frize, or Rug, made there before the maker shall have fixed his seal thereunto; and the Aulnager the Queens, whereof the makers shall have on the one side his mark, and on the other side the length of the peece, being wet; and the Queens shall have a Portcullis crowned on the one side, and the weight of the peece on the other side, in pain to forfeit such

such cloth, &c. to be divided betwixt the Queen and the prosecutor.

CCIII. In *Manchester, Rachdale, Bolton, Blakemore and Berry*, the Aulnager may appoint Deputies, and neither the Aulnager nor they shall seal any cloth, &c. before they be weighed, in pain to forfeit 20 s. for every pack, to be divided betwixt the Queen and the prosecutor.

CCIV. The Aulnagers fee for weighing of a packet of such cloth, &c. is 3 d. and for any quantity lesse then a pack, an half peny the peece.

CCV. Every Cotton well wrought and fully dried shall weigh 21 pound, and shall contein in length 21 or 20 Goads, and in breadth three quarters, or within one nail thereof; also Frizes and Rugs being well thicked and dried shall weigh 44 pound the peece, and shall contein in length betwixt 35 and 37 yards, and in breadth three quarters or within one nail thereof, and shall not be strained upon tentors above one nail in breadth; and if the said clothes exceed the said lengths, every goad or yard so exceeding shall weigh according to the same rate in pain to forfeit for every goad or yard not so weighing 12 d.

CCVI. If any of the said Cottons, Frizes, or Rugs want of the said weights, the party selling them shall forfeit for every pound lacking under three pounds 12 d. and for every pound above 3 l. 5 s.

CCVII. All Acts heretofore made for the sealing and making of Cottons, Frizes and Rugs shall be void.

CCVIII. The Charters and Liberties of Towns Corporate in *Lancashire* are saved.

CCIX. Stat. 23. El. 9. Two Justices of Peace of the County or the Head-officer of a Corporation shall command Logwood (which some deceitfully use for dying of cloth) to be seized and openly burnt, and the Dyer that useth it shall forfeit the value of the cloth, wool, or other thing dyed therewith, to be divided betwixt the Queen and the prosecutor.

CCX. Nothing of the nature of cloth shall be maddered for a black, except it be first grounded with woad onely, or with woad and a nele, *alias* blue *Inde*, unlesse the madder be put in with stomack or gallis; and who so doth otherwise shall forfeit the value of the thing so dyed, to be divided betwixt the Queen and the prosecutor, and the offender is to be imprisoned, untill he pay it.

CCXI. Provided, it shall be lawfull to dye all manner of galle black, stomack black, *alias* plain black, wherein no madder shall be used.

CCII. The Dyer shall fix a seal of lead to the cloth, &c. which

which he dieth, with the letter *M*, to shew that it is maddered, and woaded, in pain to forfeit for every yard thereof 3 s. 4 d. and the seller thereof shall make it known, that it is not woaded, in pain to forfeit the double value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXIII. Stat. 27. El. 17. None shall be hereafter charged by the Statute of 5 and 6. E. 6. 6. nor of 4 and 5. P. M. for want of the breadth of seven quarters in clothes made in the Counties of *Glocester, wilts, Somerset, or Oxon*, or others of like sort, so that they contain in breadth, (being fully wet) six quarters and an half within the lists unwrought and listed: but in case they want that breadth the makers thereof shall be chargeable with the penalties imposed by those Statutes for want of 7 quarters breadth.

CCXIV. If narrow-listed whites do not weigh 61 pounds, and broad-listed whites 63 pounds, being well dressed and dried, the clothier shall incur double such penalties for every pound wanting, as by the said Statute of 4 and 5. P. M. 5. are ordained.

CCXV. Stat. 27. El. 18. The branch of the Statute of 5 and 6. E. 6. 6. which prohibiteth putting of hair, flocks, or yarn made of lambs wool into any cloth or frize, having regard unto the said clothes called plain white straits, and pinned white straits, shall be repealed.

CCXVI The Inhabitants of *Devon and Cornwall* may weave and make the said clothes, and use therein hair, flocks, and lambs wool, and keep three loomes in their houses, and make such clothes of such length, breadth and weight, as the Merchant shall like, notwithstanding the said Statute of E. 6.

CCXVII. Provided, that no peece of such cloth shall weigh above 12 pounds, nor be above 14 yards long, or one yard broad, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the prosecutor.

CCXVIII. Stat. 35. El. 9. None shall be hereafter charged by the Statute of 5 and 6. E. 6. 6. for want of the breadth of seven quarters in broad Plunkets, Azures, Blues, and other coloured clothes made in the County of *wilts, Glocester, and Somerset*, or elsewhere; so that (being fully wet) they hold 6 quarters and an half within the lists unwrought and listed; but in case they want that breadth, the makers thereof shall incur such penalties, as by the said Statute of E. 6. are appointed for want of seven quarters breadth.

CCXIX Howbeit, if the said clothes well dressed and dried do not weigh 68 pounds, the Clothier offending therein shall incur

the double penalties of the Statute of E. 6. for want of weight,

CCXX. Stat. 35. El. 10 Every peece of *Devonshire kersey* or Dozen (as it comes from the Weavers loom) shall weigh in the open market 15 pounds, and upwards; and every peece of Rug, and wash kersey made of Wool (as it comes from the Sheeps back, and from the Weavers loom) shall weigh 17 pounds at least, and shall contain in length betwixt 15 and 16 yards (yard and Inch of the Rule.)

CCXXI. The Weaver that weaves or makes any of the said clothes of lesse weight or length, shall forfeit for every quarter of a pound or quarter of a yard wanting 12 pence. And they shall be sewantly woven throughout of well and like sorted yarn, except the lists.

CCXXII. The Weaver shall weave in his mark at one end of the Kersey of some coloured yarne, and also at each end one purrel, and shall not deceitfully mingle his yarn in pain of 10 s.

CCXXIII. None shall put to sale any such raw Kersies, before they be viewed, weighed and marked, in pain of 10 s. for every cloth, to be divided betwixt the King and the Head-officer where the offence is committed.

CCXXIV. Searchers and sealers of such Kersies shall be yearly appointed by the Head-officer of the place where they are made, who shall be sworn, and have power to enter into any house (in the day-time) to make search accordingly, and shall have a farthing for every kersey they make.

CCXXV. If the searchers and sealers be not yearly appointed or do neglect their duties, or offend in their office, the head-officer shall forfeit for every such offence 20 s. and for every market-day there are not two or one searcher at least 40 s.

CCXXVI. No kersey shall be sold or dressed, before it be tried and marked, in paine to forfeit the same.

CCXXVII. None shall diminish the length of any such kersey, in paine of 20 s.

CCXXVIII. The forfeitures aforesaid (not before limited) shall be divided betwixt the King and the prosecutor.

CCXXIX. Stat. 39. El. 11. A Justice of Peace of the County or Head-officer of a Corporation (being also a Justice of Peace there) have power to call before them and examine the servants of persons suspected to use Logwood in Dying, and (if they shall finde cause) to binde over to the next quarter-sessions both the evidence and party offending, and upon the Delinquents refusal to be bound, shall commit him to prison till he finde sureties: they shall also
certifie

certific in at the same session the examinations by them taken, where, if the party offending be convicted, he shall suffer the pillory and forfeit 20. *l.* to be divided betwixt the Queen and the prosecutor.

CCXXX. Stat. 39. *El.* 14. No Cards for Wool shall be brought into this Realme, or *wales*, to be sold, in paine to forfeit them, or the value thereof, to be divided betwixt the Queen and the prosecutor.

CCXXXI. Stat. 39. *El.* 20. None shall stretch or straine any clothes made on the North-side of Trent, in paine of 5. *l.* nor use any engine to that purpose, in pain of 20. *l.*

CCXXXII. Northern Cloths shall be made of such weight, length, and breadth, as by former Statutes are provided, upon the paines in the same Statutes contained.

CCXXXIII. A Seal of Lead shall be set to every Northern cloth, expressing the length and weight thereof, in pain to forfeit the same: And here the offender shall also forfeit for every yard, that it wants of due length, 4. *s.* And for every pound, that it wants of due weight, 3. *s.*

CCXXXIV. Overseers shall be appointed and sworne in the County by two Justices of Peace, and in Corporations by the head-officer, calling to him the next Justice of Peace to make search once a moneth at least for defects in Northern Clothes, and if they shall finde any stretched, strained, or sealed with any false seal, they shall make presentment thereof at the next Quarter-sessions, and here he that deceives or withholds any faulty clothes, shall for the first offence forfeit 10 *l.* for the second 20 *l.* and for the third (being thereof lawfully convicted by verdict or two witnesses) shall suffer the Pillory.

CCXXXV. The overseer, that refuseth to appear, or to undertake that Office, shall forfeit 5 *l.* to be divided betwixt the Queen and the Officers, that made him Overseer.

CCXXXVI. The Overseers shall fix a seal of lead to such clothes expressing the length and breadth of the same together with the word *Searched*, which shall exempt them to be searched elsewhere.

CCXXXVII. If any (save the said Overseers) set or take away Seal to or from the said clothes without warrant, they shall forfeit to the Queen for the first offence 10 *l.* And for the second (being thereof lawfully convicted by verdict or two witnesses) 20 *l.* And besides suffer the Pillory.

CCXXXVIII. Justices of Peace, Head-Constables and Overseers shall search and seize ropes, winches and other engines used for the unlawful stretching of Northern clothes, and none shall withstand them

them upon the forfeitures above mentioned for resisting the Overseers.

CCXXXIX. The Justice, that shall be found negligent in the due execution of this Act shall forfeit 5. l. And this and all other forfeitures of this Act shall be divided into three parts, whereof the Queene is to have one, the Informer another, and the poor of the place where the offence is committed, the third. *See the clauses following.*

CCXL. Justices of Peace have power to hear and determine these offences in their Sessions, and Justices of Assizes to convict the Justices of Peace that are negligent, upon prooffe of two witnesses; But upon neglect of Justice by the said Justices of Peace and Justices of Assizes the abovesaid penalties are recoverable in any other Court of Justice, and in that case the one halfe thereof shall go to the Queen, and the other to the Informer.

CCXLI. The owner of Northern clothes brought up to be sold in London shall cause them to be brought to *Blackwell hall* to be searched drie without wetting, in paine of 40 s. But here the searcher shall not make his search at such times, when it may be a hindrance to the owners market, in pain of 5. l. These penalties are likewise given to the Queen and the Informer.

CCXLII. Stat. 43. El. 10. None shall put any hair, flocks, thrum, yarne made of lambes wool, or any other deceivable thing in Broad cloth, Kersie, Frize, Dozen Penystone, Cotton, *Taunton* cloth, *Bridgewater*, or *Dunster* Cotton (which *Dunster* Cotton shall be taken to be of like weight, length, and breadth, as *Taunton* and *Bridgewater* cloth, in paine to forfeit such Cloth, Kersie, &c.) And none shall buy or procure any such deceivable thing for that intent, in pain to forfeit the same.

CCXLIII. None shall use any Engine to stretch the said clothes or Rugs unwrought in length or breadth, in paine of 20 l. to be divided betwixt the Queen and the prosecutor.

CCXLIV. None shall set any wrought woollen cloth upon any tentor, or other Engine to stretch the same otherwise then as followeth, viz. the whole broad cloth one yard in length, and one half quarter in breadth, and the kersie, cotton, &c. one half yard in length, and one nail in breadth, in pain to forfeit such cloth, kersie, &c.

CCXLV. Woollen clothes shall not exceed the lengths appointed by former Statutes, in paine to forfeit the same; saving that *Taunton*, *Bridgewater* clothes, and others of like making may weigh onely 30 pounds, and *Suffolk*, *Norfolk*, *Essex*, and Northern cloths shall be abated four pounds in the whole cloth, and two pounds in the half cloth.

CCXLVI. If

CCXLVI. If any whole cloth want above three pounds of the weight limited by the said Statutes, or a halfe cloth half so much, for every pound so wanting he shall forfeit 10 s. for two pounds 20 s. for three pounds 40 s. and so to forfeit a double penalty for every pound so wanting, unless he will yield the said cloth, and then it shall be forfeited.

CCXLVII. The Statute of 39. *El.* 20. which gives power to Justices of Assize, Justices of Peace, and Head-officers for Northern clothes shall extend also to clothes made in other Countreys.

CCXLVIII. Cloth sealed by the overseers (authorized by 39. *El.* 20) shall not be searched or tried again by any other officer.

CCXLIX. The severall branches of 5 & 6. *E.* 6. 6. 4. & 5. *P.M.* 5. 27. *El.* 17. and 35. *El.* 9. which concern over-lengths of clothes, and the clause of the said Statute of 4 & 5. *P. M.* 5. which concerns Certificates of faulty clothes are repealed.

CCL. No Merchant shall take advantage of a Clothier for any defect in cloth.

CCLI. All Acts heretofore made contrariant to this are repealed.

CCLII. Such as observe this Act, albeit they offend contrary to 39. *El.* 20. shall not incur any penalty inflicted by 39. *El.* 20.

CCLIII. The moiety of all forfeitures (not otherwise hereby appointed) the overseers or finder shall have, and the poor the other.

CCLIV. If any unwrought woollen cloth (after it is transported) shall be found stretched contrary to this Act, the Merchant may return it at his own costs, and shall recover damages against the maker or seller thereof.

CCLV. *Stat.* 1. *Fac.* 25. None shall incur any penalty for want of length, breadth, or weight of Welsh Cottons, under the price of 15 *d.* the yard, and 2 *s.* the goad, so as they be not mixed with deceitful stuff, nor for any other above that price, except they be mixed, as aforesaid, or shall shrink above the rate of half a yard in 12 yards, or weigh lesse then 14 ounces the yard, or hold not full 3 quarters of a yard broad.

CCLVI. *Stat.* 3, *Fac.* 16. Ordinary Kerseys shall not exceed 24 yards in length, and (being fully dressed and dried) shall weigh 28 pounds and an half: And sorting Kerseys shall have the same length, and shall weigh 32 pounds and an half.

CCLVII. If any piece of Kersey of the said severall kindes, exceed those lengths, or want of those weights respectively, the maker shall forfeit for every yard so exceeding 5 *s.* and for every pound

pound so wanting 2 s. to be divided betwixt the King and the prosecutor:

CCLVIII. The Custome and subsidie of kerfies 24 yards long shall be as much as was paid before for a peece of 18 yards and a third part of such a peece.

CCLIX. Stat. 3. Jac. 17. None shall incur any penalty for want of fixing a content seal to Welsh cottons; neither shall any (save the buyer) search or trie them, in pain of 5 l. to be divided betwixt the King and the party grieved.

CCLX. Stat. 4. Jac. 2. Every coloured broad cloth made in Kent, Yorkshire, Reading, and elsewhere (of like making) being thorough wet, shall contain in length between 30 and 34 yards (yard and inch) Standard-measure; and six quarters and an half throughout within the lists, and being well ordered and dried shall weigh 86 pounds.

CCLXI. The length of white *Worcesters* (being wet) shall be between 30 and 33 yards, their breadth 7 quarters, and their weight 78 pounds.

CCLXII. The length of plunkets, Azures, Blues, and long Whites (being wet) shall be between 29 and 32 yards, their breadth six quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting clothes shall contain in length betwixt 23 and 26 yards, be six quarters broad, and weigh 64 pounds.

CCLXIV. Fine short *Suffolks* shall contain in length between 23 and 26 yards, be six quarters and an half broad, and weigh 60 pounds.

CCLXV. Handywarps shall contain in length between 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets and other coloured clothes made in the Counties of *Wilts* and *Somerset*, or elsewhere of like making shall be between 26 and 28 yards long, six quarters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured clothes made in *Yorkshire*, or elsewhere (of like making) shall be between 23 and 25 yards long, six quarters and an half broad, and weigh 66 pounds. And every half cloth or *Dozen* shall be made according to the same rate.

CCLXVIII. Broad listed whites and reds shall contain between 26 and 28 yards in length, be six quarters and an half broad, and weigh 64 pounds.

CCLXIX. Narrow-listed whites and reds shall contain in length betwixt 26 and 28 yards, be six quarters and an half broad, and (being white) shall weigh 61 pounds, but red, 60 pounds.

CCLXX. Fine

CCLCC. Fine cloths with plain lists shall conteine in length between 29 and 32 yards, be six quarters and an half broad, and weigh 72 pounds.

CCLXXI. Cloths having stop lists shall contein in length between 30 and 33 yards, be seven quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons, Bridgewaters, Dunsters, &c.* shall contein in length between 12 and 13 yards, be seven quarters broad, and weigh 30 pounds: and every narrow cloth of like making shall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds; and the half cloth of that kinde shall contein the same breadth, and the length and weight ratably. And as touching such broad and narrow clothes, as are made in *Yorkshire* into whites and reds, the broad cloths there shall keep the same measures & weight; but the narrow is to contein in length between 17 and 18 yards, and in weight proportionable, as aforesaidr

CCLXXIII. *Devonshire* kerseys or Dozens shall contein in length between 12 and 13 yards, and shall weigh 13 pounds. And *Check* Kerseys, Straits, and plain Greys shall contein in length between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Pennystones and Forest whites shall contein in length between 12 and 13 yards, be five quarters and an half broad, and weigh 28 pounds: and sorting Pennystones shall be between 13 and 14 yards long, six quarters and an half broad, and weigh 35 pounds.

CCLXXV. All *Cogware, Kendall, and Carptmeales*, shall be made to please the buyer, and shall not be searched, sealed, or subject to other penalty, then such as was imposed thereon before 39. *El.* so as they shrink not above one yard in 20.

CCLXXVI. Kerseys called Washers and Wash whites, (being half thicked) shall contein in length between 17 and 18 yards, or (quarter thicked) between 18 and 19, and shall weigh 19 pounds.

CCLXXVII. None shall raise or row woollen cloth with oil, grease, or the like, or use the same, but upon the edge of the Sheers onely, in pain of 13 s. 4 d. and it shall be wrought all alike throw-out, upon the like pain; and the wool thereof taken away onely by the Sheers, upon the same pain.

CCLXXVIII. None shall blow, spout, or be dew woollen cloth neer the lists thereof with water or otherwise, in pain of 13 s. 4 d. and if it be done, to increase the weight, the penalty is 40 s.

CCLXXIX. A

CCLXXIX. Abatement shall be made for the dying, dressing, shearing, and rowing of cloth, viz. for short cloths 4 pounds, and long clothes 5 pounds, according to that rate.

CCLXXX. Flannel, Wadnals, Coverlets, and Blankets may be made as formerly they have been, notwithstanding this Statute:

CCLXXXI. None shall exceed the lengths aforesaid, in pain to forfeit for every yard and inch so exceeding 10 s.

CCLXXXII. If any sell woollen cloth wanting the weight aforesaid, he shall forfeit for every two pounds so wanting 10 s.

CCLXXXIII. If any cloth want the just breadth, the seller thereof shall forfeit for such want throughout the whole piece 20 s. the half piece 10 s. and for any lesse part 5 s.

CCLXXXIV. If a cloth be of lesse length then the seal thereof doth purport, the seller shall forfeit to the buyer 6 s. 8 d. for every yard and inch, that it so wants, besides the value of so much as so falls short.

CCLXXXV. Every branch in any former Statute whereby any other length, breadth or weight of the said clothes, or any other penalty concerning the same, or any offence (intended by this Act to be reformed) is limited, or whereby any penalty for the offences (in this Act mentioned) is given to any other person, then in and by this Statute is limited, shall be repealed.

CCLXXXVI. Cloth sealed by the overseers appointed by the Statutes of 19, El. 20. and 43. El. 10. shall not be searched, tried, or watered again, but onely by the buyer thereof.

CCLXXXVII. The penalties for over-length or want of weight found by the overseers, shall be divided betwixt the King and them: but if such fault shall be found by the buyer, and not found and certified by the overseers, then shall such penalties be divided betwixt the King and such buyer.

CCLXXXVIII. If any broad woollen cloth be longer or shorter then 24 yards and inches, the duties for the same shall be proportionable, according to the length.

CCLXXXIX. Every clothier may make any kinde of woollen cloth in what place he pleaseth.

CCXC. The Kings duties are reserved, as also the Aulnagers office and fees; so as cloth once lawfully searched and sealed, shall not be searched and sealed again.

CCXCI. Stat. 7. Ja. 7. The sorter, carder, kember, spinner, or weaver of wool, or yarn, that shall be found (by his own confession, or the testimonie of one witnesse) to imbezil or detein any part thereof from the true owner, shall incur whipping and the stock, to inflicted upon them (in the Countrey) by any two Justices

ces of Peace, and (in a Corporation) by the Head-officer, and another joynted with him; and here also the receiver thereof shall incur the like punishment, as also those in *Essex*, which use a Reel lesse then two yards about.

CCXCII. But such Imbeziler may redeem his punishment, by giving such satisfaction to the owner, as such Justice or Head-officer shall think fit.

CCXCIII. Stat. 7. *Ja.* 16. Certain course clothes made in the North shall not be searched or sealed, nor any Customs or Aulnage paid for them.

CCXCIV. Stat. 21. *Ja.* 18. The Statute of 4. *Ja.* 2. is continued, save what is thereof altered, repealed, discontinued, or enlarged by this.

CCXCV. None shall put any flocks, thrums, hair, or other deceitful stuffe into broad woollen cloth, in pain of 5 *l.* to be distributed to the poor, where such deceitful cloth is made.

CCXCVI. The searchers or overseers of cloth may enter into and make search in any house or other place to finde deceitful cloth.

CCXCVII. Any two Justices of Peace may call before them any person suspected for making deceitful cloth, and if upon confession of the party, or testimony of two witnesses, they shall finde any guilty thereof, and make certificate accordingly under their hands and seals to the Churchwardens and Overseers of the poor of the Parish, where the offence is committed, those officers shall levie the penalties forfeited, by distresse and sale of goods, and for want of distresse the offender shall suffer imprisonment.

CCXCVIII. The officer being sued shall be allowed to plead the general issue, &c. and shall recover double costs.

CCXCIX. If cloth be defective, the searchers of the Parish where it is made, shall certifie it by their seal, having the word *Faulty* stamped upon it: And the searcher that searcheth cloth already searched shall forfeit 5 *l.* to the party grieved.

CCC. All woollen clothes shall be searched and sealed before they be sold.

CCCI. No rentor for broad clothes made in *Yorkshire* shall have any further place or liberty under barge then half a quarter of a yard: And the overseers in those parts shall upon the penalties of their recognizances make due search for deceitful rentors; and, if any be found, shall deface them.

CCCII. He that offends the second time in having such a rentor, shall forfeit 40 *s.* to the poor.

CCCIII. Every

mm III. Every Overseer of cloth shall (upon the like penalty of his recognizance) set his name upon the seal of cloth, and clothes otherwise sealed shall not be allowed as sufficiently sealed.

CCCIV. Pressing of clothes between hot planks, or by any heat of fire, or other deceitful means, shall be punished by like forfeitures, as pressing with the hot Presse is punishable by any former Statute.

CCCV. A third part of all penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers that finde and certifie such defaults, shall have, and the rest shall be delivered to the Church-wardens and Overseers for the use of the poor, for which they shall be accomptable, as by the Statute of 43. *El.* 3. is provided.

Dures.

I. Stat. 1. *R.* 2. 13. All obligations forced by Dures, upon Ecclesiastical Judges and others, whereby they are restrained from suing for tithes and other duties in the Ecclesiastical Court, shall be void.

II. Such as falsly procure such Judges or others to be indicted shall incur such punishment, as by *West.* 2. 12. is ordained for false appeals, which see in Appeals.

Durham.

I. Stat. 7. *E.* 6. not printed. By this Act the Bishoprick of *Durham* was dissolved, and the King was to have all the lands and hereditaments thereof; and another Act was also made the same year *Cap.* 10. whereby the Town of *Gatefide* was united to the Town of *Newcastle*: but both these Acts are repealed by 1. *M.* *Parl.* 2. 3. And by this Act the Bishoprick of *Durham* is revived and crested, and thereby are annexed unto the County Palatine all the jurisdictions both Ecclesiastical and Temporal, as also the Town of *Gatefide*, and all lands and hereditaments before belonging to the said Bishoprick; And divers other provisions are therein contained concerning those matters; For which see the Statute at large.

II. Stat. 5. *El.* 27. Fines levied before the Justices of the County Palatine of *Durham* (or one of them) of lands lying in the same County, shall be good.

III. Stat. 31. *El.* 9. Writs upon Proclamations and exigents against

gainst any person dwelling within the County Palatine of *Durham*, shall be directed to the Bishop of *Durham*; &c. with divers other provisions for that County Palatine: For which see the Statute at large.

Ecclesiastical Jurisdiction.

I. Stat. 37. H. 8. 19. Doctors of the Civil Law, (albeit they be Lay-men, or married, and unmarried) may exercise Ecclesiastical jurisdiction.

Egyptians.

I. Stat. 21. H. 6. 10. If any calling themselves Egyptians, do come into this Realm, they shall forfeit all their goods, and being commanded, shall depart the Realm within 15 dayes upon pain of Imprisonment: But see here in the Statutes following a greater penalty ordained.

II. Stat. 1. 2. P. M. 4. None shall transport any lewd people, who call themselves Egyptians into this Realm or *wales*, in pain of 40*l*. And it shall be felony (without Clergy) for them to remain above a moneth in *England* or *wales*; neither shall they be tried *per medietatem lingue*, but by the Inhabitants of the County or place where they are taken.

III. None shall sue for any licence or passport for any Egyptians to stay in *England* or *wales*, in pain of 40*l*. and such licence or passport shall be void.

IV. The forfeitures aforelaid shall be divided betwixt the King and Queens Majesties, and the prosecutor.

V. This Act shall not extend to charge persons, not above the age of 13 years, nor as accessory to any offence contained in this Statute.

VI. Stat. 5: El. 20. Any person whatsoever, consorting with Egyptians by the space of a moneth, shall be adjudged a felon without clergy.

VII. This Act shall not include children within 14 years of age, neither shall any person born in *England* or *wales*, be compellable to void the land by the Statute of 1. 2. P. M. but onely to leave their lewd course of life.

Election.

I. *West. 1. cap. 5. 3. E. 1.* None shall disturb any (by force of Arms, Malice, or Menaces) to make free Election, in pain of great forfeiture.

II. *Artic. Cleric, cap. 14. 9. E. 2.* There shall be free Election for the dignities of the Church.

III. *Stat. 31. El. 6.* If any person or persons having election or voice in the nomination or choice of any person to have place in any Church, Colledge, School, Hospital, Hall, or other Society, shall take any reward directly or indirectly, or any promise or assurance thereof directly or indirectly for such their election or voice, that then such place shall be void; and that then such person as hath power to dispose thereof may dispose of the same, as if the person before elected or appointed were actually dead.

IV. If any person of such societies take any reward or assurance thereof directly or indirectly for resigning such place, the partie giving it shall forfeit the double value thereof, and the party taking it shall be incapable of such place; and then also the party to whom such place appertains may dispose thereof, as aforesaid.

V. At every Election this Statute, and the Statutes of the Society, which concern Election, shall be read.

VI. The forfeitures of this Statute shall be divided between the Queen and the prosecutor.

VII. If any person for any reward or assurance thereof directly or indirectly taken do present or collate any person to any Benefice with cure of souls, Dignity, Prebend, or living Ecclesiastical, or give or bestow the same for any corrupt consideration, every such presentation, collation, gift, &c. bestowing, and every admission, institution, investiture, and induction thereupon shall be void; and from thenceforth the Queen, her heirs and successors may present or collate thereunto, or give or bestow the same for one turn only.

VIII. None shall give or take such reward or take or make such assurance, in pain to forfeit the double value of one years profit of such spiritual promotion; and the person taking such promotion shall be disabled in Law to enjoy the same.

IX. If any person for any such reward or assurance thereof (lawful fees excepted) admit, institute, install, induct, invest, or place any person in any such spiritual promotion, the party so offending shall forfeit the double value of one years profit of such promotion,

The admission, institution, &c. shall be void; and then the Patron or other person unto whom the next gift appertains, may present or collate thereunto.

X. Howbeit no lapse shall accrue upon such violence, until six moneths after notice thereof given by the Ordinary to the Patron.

X I. If any Incumbent of any Benefice with cure of souls shall corruptly resigne or exchange the same, or shall corruptly take for resigning or exchanging thereof directly or indirectly, any benefice whatsoever; both the giver and taker thereof shall lose the double value of the benefice so had, to be divided betwixt the Queen and the prosecutor.

X II. Penalties inflicted by the Ecclesiastical law are not taken away by this Statute.

X I II. If any person shall directly or indirectly take any reward or other profit or assurance for the same (lawful fees onely excepted) to make a Minister, or to give licence to preach, he shall forfeit 40 l. and the party so made Minister, or licensed to preach 10 l. and if the party so made Minister, or licensed, be inducted, invested, or installed into any benefice within seven years after, such induction, &c. shall be void, and the party having the gift thereof may present or collate, as if he were dead.

X IV. The forfeitures of this Act shall be divided betwixt the Queen and the prosecutor.

English-men.

I. Stat. 14. & 15. H. 3. 4. All English-men sworn subjects to any forreign Prince; shall pay such impositions, as Aliens do.

II. Their names shall be certified into the Chancery from Holland, Zeland, Brabant, and Flanders, by the Gouverneur of the Merchant-Adventurers there, and from other parts by the Kings Embassadors residing in those parts.

III. An English-man returning and dwelling again within this Realm shall be restored to his liberties.

England and Scotland.

I. Stat. 1. Ja. 2. An Authority is given to certain Commissioners of both Houses of Parliament (named in this Statute) to treat with certain Commissioners of Scotland concerning the settlement of an union and peace between the Kingdomes of England & Scotland.

II. Stat.

II. Stat. 4. Ja. I. Lawes of hostility and the dependancies thereof between the two Nations are repealed, but this Act (in that point) is not to take effect, until the like be acted in *Scotland*.

III. None shall be troubled for any wrong done before the death of *Queen Eliz.* by the lawes of the Borders.

IV. Felonies committed by English-men in *Scotland*, shall be tried in *Cumberland, Westmerland, or Northumberland* before Commissioners and Jurors of *England*, and here the felon shall be admitted to have his witnesses examined upon oath, and the prosecutor and his witnesses shall by any Justice of Peace of any of those Counties be bound by recognizance to prosecute and give evidence, the prosecutor first tendring such witnesses their reasonable charges.

V. Here also the accessory shall be so tried, albeit the principal be not convicted or attainted, and neither principal nor accessory shall be allowed Clergy, or peremptory challenge above five, and the Indictment shall be good, notwithstanding the words (*Contra pacem, Coronam, & dignitatem nostras*) be omitted.

VI. No Sheriffe or other Minister shall return any Juror upon such trials, but such as have freehold worth 5 *l. per annum* in the County where the trial is had, in pain of 40 *l.* for every Juror otherwise returned, to be divided berwixt the King and him that will sue for it.

VII. Here, the offender shall not forfeit any lands, nor have his blood corrupted, neither shall his wife lose her dower, but he shall forfeit all his goods, chattels, and credits.

VIII. The like Act being intended to be made in *Scotland*, when the like offence is committed in *England* by a Scotchman (afterwards fled into *Scotland*) Justices of Oyer and Terminer, Gaol-delivery and Peace of *England* have power to binde over by recognizance both the prosecutor and witnesses (they being tendred their charges, as before) to appear in *Scotland* upon the trial, which recognizance (upon failer) being certified into the Exchequer-chamber, shall by decree there be made a debt to the King.

IX. Scotchmen comming into *England* to prosecute or give evidence against an offender in *Scotland* shall be free from arrests for any offence or cause whatsoever (except treason and murther) so long as they are in *England* for that purpose.

X. The offence shall be alledged in the Indictment to be done in the place, where (indeed) it was done.

XI. He that is once tried in *Scotland* shall not be again called in question for the same offence, but his former trial shall be a good plea

plea for him, unless by certificate from *Scotland* some other cause may be discovered.

XII. No English man shall be sent out of *England* to be tried in *Scotland*. But this is altered by the Statute following.

XIII. The Jurors or the greater part of them may allow or reject any of the witnesses of either party, as they shall in their discretions finde cause.

XIV. Here the trial of a Peer shall be by his Peers.

XV. Stat. 7. Ja. 1. If an Englishman shall commit felony in *Scotland*, and then flee into *England*, the Justices of Assize, or one of them, the Justices of Gaol-delivery in their Gaol-delivery, or four of them, or the Justices of Peace in Sessions, or four of them may send the offender into *Scotland* to be tried: Howbeit this Act shall not take effect, until another of like nature (*vice versa*) be made in *Scotland*.

XVI. Stat. 16. 17. Car. 17. An Act for the confirmation of the Treaty of Pacification between the two Kingdomes of *England* and *Scotland*. See the Statute at large.

XVII. Stat. 16. 17. Car. 18. An Act for securing by publique faith the remainder of the friendly assistance and relief promised to our brethren of *Scotland*. See the Statute at large.

Engleschire.

I. Stat. 14. E. 3. Stat. 1. Cap. 4. Presentment of Engleschire is clearly abolished.

Entry and writs of Entry.

I. Marlb. 29. 52. H. 3. When so many alienations have been made, that the writ of Entry cannot be made in the usual form, the Plaintiff shall have a writ to recover his seisin without mention of the degrees; And tis is called a writ of Entry sur disseisin en le Post.

II. Glouc. 7. 6. E. 1. If a woman alien her dower in fee or for life, the heir or other person, to whom the land ought to revert after her death, shall immediately recover it by a Writ of Entry.

Entry lawful.

I. Stat. 32. H. 8. 33. Where a disseisor dieth seized of lands, that descent shal not take away the entry of the disseisee or his heir, unless the disseisor had peaceable possession thereof five years next after such disseisin committed.

Errour.

I. Stat. 5. E. 3. 2. in fine, & 10. E. 3. Stat. 2. 3. Where Errour is made before the Kings Steward and Marshal, the Plaintiffe may by writ remove the Record into the Kings Bench, and may there have it redressed.

II. Stat. 31. E. 3. Stat. 1. 12. The Lord Chancellor and Treasurer calling to them such of the Justices and other sage persons, as they shall think fit, as also the Barons of the Exchequer (to give the reasons of their Judgements) may examine erroneous judgements given in the Exchequer, and (if any errour be found) may correct the Rolls, to the end the Exchequer may proceed to execution.

III. Stat. 23. E. 3. Fines and Recoveries, and all matters concerning them now extant and in being may be inrolled, which inrolment shall be of as great validitie, as the same so extant and remaining in being.

IV. No Fine, Proclamation, or Recovery shall be reversable for false Latine, rasure, interlining, misentring, misreturning, not returning, or any other matter of form, and not of substance.

V. This Act shall not bar any from a writ of erreour upon any fine or recovery heretofore had and pursued within five years after this Parliament, or which before the first of June 1582 was exemplified under the Great Seal; nor a feme covert, Infant, non compos mentis, one in prison, or beyond Sea, so that they or their heirs pursue such writ within seven years after such Imperfection, restraint, or absence removed; and if any of them happen to die hanging the suit, their heir may undertake it within one year after the said seven years, and if the heir be under age, then within one year after his full age.

VI. The day and year of the acknowledgement of a fine, and of the warrant of Attourney for the suffering of a Recovery. shall be certified together with the concord or warrant, and none shall be inforced so to certifie but within one year after such acknowledgement made or warrant given.

VII. No

VII. No officer shall receive any writ of covenant or entry without the day so certified, in pain of $\text{5 } l.$

VIII. No Attournment upon any fine (in a *Quid juris clamat, Quem redditum reddit, or Per qua servitia*) shall be entered upon Record, unless the party attourning have first appeared in Court, or by Attourney warranted under the hand of a Justice of one of the Benches, or of Assize, and every Attournment otherwise made shall be void without any writ of Errour, or other means to be used for the avoiding thereof.

IX. There shall be an office for the inrolments of writs for fines and recoveries, and one of the Justices of the Common Pleas (besides the Chief Justice) shall have the care thereof; and shall have for the inrolment and examination of every fine with the parts thereof $6. s. 8 d.$ and as much for a Recovery and the parts thereof, and for every exemplification of each of them $5 s.$ and for the search of every year $4 d.$ and for every sheet of a Copy (containing 14 lines) $4 d.$ and shall subscribe his name to the Roll after he hath so examined it, in pain of $\text{5 } l.$

X. The said Justice shall have power to punish the officers, who manage that imployment, by fine or amerciamment for their misprision or negligence therein, which shall be estreated amongst the fines and amerciamentes of that Court.

XI. The *Chirographer* shall the first day of every Term fix in the Court of Common Pleas a Table for each County, containing a true content of the fines passed in any one Term, and shall also deliver the like to each Sheriff, in pain of $\text{5 } l.$ and the Sheriff shall fix it up in the Court at the next Assizes, in like pain of $\text{5 } l.$ The said forfeitures are to be divided betwixt the Queen and the prosecutor, and the *Chirographers* fee for every such content is $4 d.$

XII. The Records shall not be carried out of the Office of Inrolments, and Fines and Recoveries already passed and exemplified shall not be afterwards amended.

XIII. Stat. 27. El. 8. Where a judgement is given in the Kings Bench in debt, detinue, covenant, accompt, action upon the case; *ejectione firme*, or trespassse, first commenced there (other then such where the Queen is party) the plaintiff or defendant may sue forth of the Chancery a writ of Errour, commanding the Chief Justice to cause the Record to be brought before the Justices of the Common Pleas, and Barons of the Exchequer into the Exchequer-chamber, which Justices and Barons, or any fix of them (being of the Coif) have there power to examine, and reverse or affirm the said judgement; other then for error concerning the jurisdiction of the

the Kings Bench, or for want of form in any Writ, Return, Plaint, Bill, Declaration, or other proceeding whatsoever; and after such judgment reversed or affirmed, the said Record shall be remanded, that the Kings Bench may proceed thereupon, as shall appertain; yet such reversal or affirmation shall not be so final, but that the party, who findes himself grieved, may still sue in Parliament, as before.

XIV. Stat. 31. El. 1. The not comming of the Chancellor and Treasurer at the day of adjournment in any suit of Errour depending by force of 31. E. 3. Stat. 1. cap. 13. shall not be any discontinuance of the writ of errour; But if both the Chief Justices or either of those great officers be there, it shall be no discontinuance; Howbeit, no judgement shall be given therein, unless both those officers be there present.

XV. Any three of the Justices of the Common Pleas or Barons of the Exchequer may receive writs of Errour, award proccesse thereupon, and prefix dayes of continuance for such writs notwithstanding the Statute of 27. El. 8. but no judgement shall be given therein without the full apparence of six, according to that Statute; And here also the party that findes himself grieved, may sue in Parliament as before.

Escape.

I. Stat. 1. 3. 3. E. 1. Nothing shall be taken for the escape of a felon, until it be adjudged an escape by the Justices in Eyre, in pain of restoring as much to the party grieved. and as much also to the King.

II. Stat. 31. E. 3. Stat. 1. 14. The escape of felons, and the chattels of felons, fugitives, and Clerks convict, adjudged by the Kings Justices, shall be levied, as they shall fall.

III. Stat. 1. R. 3. 3. Justices of Peace have power in Sessions to inquire of escape of felons

Eschange.

I. Stat. 9. E. 3. 7. Exchanges shall be kept where it shall please the King and his Council.

II. Stat. 25. E. 3. Stat. 5. 12. Every man may exchange gold for silver, or silver for gold, or for gold and silver, so that no man hold the same as exchanged, nor take profit for such exchange, in pain to forfeit the money so exchanged, except the Kings exchangers, which take profit for such exchange, according to the Ordinance before

before made : *Note that this Statute is thus also recited in 5.6.E.6.19. Howbeit the French copie (instead of, so as no man hold the same as exchanged) hath it thus : issint que nul home teigne comen eschange; and so the mistake seemes to be in the word come, which should have beene comen. and Rastal in the first Edition of his Abridgment (which I have) renders it thus, Null preigne rienspur eschange dor par argent on e contra, sur pain de forfeiter del mony issint change forspris changours le Roy, quex preigneront solunque lordinante ent fait.*

III. Stat. 14.R.2. Stat. 1.2. For every Exchange, the Merchant shall be bound in Chancery to buy (within three moneths after such exchange) Merchandise of the Staple, to the value of the summe exchanged in pain to forfeit the same.

4. Stat. 11.H.4.8. The Statute of 14.R.2 shall be duely executed, and the Lord Chancellor shall send the estreats of exchanges taken of Merchants into the Exchequer every 15 dayes, and the Barons there shall have power to examine the Customers in that case and to punish them, if they finde them faulty. *But note that these two last Statutes are now out of use.*

V. Stat. 5.6.E.6.19. None shall give or take any more for the exchange of coin, then the true value thereof amounteth unto, in pain to forfeit the money so exchanged, to suffer one years imprisonment, and to be fined at the Kings pleasure; and the said forfeiture is to be divided betwixt the King and the seizer or prosecutor.

Eschequer.

I. Stat. Scaccarii 51.H.3. All Bailiffs, Sheriffes, the Justices of Chester, Receivers, of Wards and Escheates, and other officers shall account in the Exchequer to the Treasurer and Barons there; and all Sheriffes, Farmers, Bailiffes of Franchises, and others that ought to come to the profer of that Court the munday after Mich. and the Munday after the *utæ* of Easter, shall then pay in their Farms, Rents and Issues, and upon default they shall there remain until payment or agreement made for the same, and in case of absence they shall be amerced.

II. Then also shall the Sheriffes and Bailiffes pay in their summons of the Exchequer, and be then also ready to make account for the things aforesaid, and if the Bailiffes fail to do it, their bodies shall remain in Ward of the Sheriffes, and the Sheriffe shall levie the Kings debts by himselfe or his own Bailiffes, where the Bailiffes of the Franchises fail to do it.

III. The

I II. The Justices of *Chester* shall have day to accompt from year to year in *Quind. Pascha*, and the Bailiffs thereof in the Munday of Easter *Wtas*.

All Sheriffes (except of *westmerland*, *Lancaster*, *worcester*, *Rutland* and *Cornwall*) shall keep all Wards and Escheats belonging to the King, and shall be answerable for the issues thereof in the Exchequer at the terms aforesaid; and at their turns they shall finde office of such things as belong to the King, and which are not used to be found before the Escheaters with as litle grievance of the people as may be: And shall seize such Escheates, as fall to the King in fee, and shall without delay certifie the King thereof.

V. The King shall assign three able persons to survey and finde yearly the Wards and Escheates aforesaid, which the Sheriffs shall let to farm for the Kings best advantage.

VI. The Sheriff of *Cumberland* shall be Escheater in *westmerland* and *Lancaster*, the Sheriff of *Nottingham* in *Rutland*, the Sheriffe of *Glocester* in *worcester*, and the Sheriffe of *Devonshire* in *Cornwal*; and shall safely keep the Kings Wards and Escheats in those Counties, and at the terms aforesaid shall be answerable for the issues thereof in the Exchequer as well as for those of their own Counties.

VII. The said Surveyers shall approve and manage the Kings demesnes, and shall be answerable for the Issues thereof, and the Farmers shall be chargeable to the principal Approvers, and they in the Exchequer yearly the Munday after *Ascension* day.

VIII. Also the Collectors of the custome of Wool shall account and pay yearly in the Exchequer at the two Terms aforesaid.

IX. The Keeper of the Kings Wardrobe shall also account yearly at the Feast of *S. Margaret*.

X. The Treasurer and Barons shall prefer the taking of these accompts before any other businesse to be heard in Court, except it concern the Kings own debt.

XI. One Sheriffe shall not be received to accompt during anothers accompt, nor until the first accomptant hath paid all his money.

XII. The Constable, Marshal, Chamberlain, and other that are of fee in the Exchequer shall present to the King such as are of good fame to execute their offices, and for whom they will answer.

XIII. No Deputy-officer (without the licence of the Treasurer and Barons) shall be there received, unlesse he be sworne, and if

if he commit any trespassse, and be not able to satisfie the punishment inflicted, his Superiour shall be answerable for it.

XIV. The officers of the Wool-staple shall make oath to certifie the Treasurer and Barons, or some of them (or, if need require the King himself) of all defaults and offences committed in the Wool-staple.

XV. About the feast of *S. Margaret*, and before the close of the Exchequer search shall be made whether any Sheriffe or Bailiffe have failed to account that year, and if any be, a remembrance thereof shall be made in the Roll; and if it be a Sheriff, his account shall be first heard after *Michaelmas*, but if a Bailiffe, he shall be summoned or distrained to account at a certain day.

XVI. The Surveyors of the Kings works shall be chosen by the oath of twelve men, and of such as may best attend that Office, and are sufficient to answer the King, if need be; and shall swear that they bear lawful witnesse; and if the Treasurer or Barons suspect the sale, allowances of charges, or the like, the truth thereof shall be inquired, and he that is attainted shall answer the King as much as the allowance amounteth unto, shall suffer a year and fourty dayes imprisonment, and be further punished at the Kings pleasure; And the Surveyours shall be also punished for their consent: and here, he that concealed any thing, wherewith he is chargeable shall be punished as well as he that admitted such false allowances.

XVII. All Justicers, Commissioners, and others shall deliver into the Exchequer yearly after *Michaelmas* the estreats of fines and amerciamentis taxed before them, and the Exchequer shall estreat them out in the summons to all Counties except the estreats in *Eyre*, which shall be delivered immediately after the *Eyre* made.

XVIII. *Stat. de Rutland, 10. E. 1.* From henceforth the bodies of Shires shall not be written in severall Rolls, but in a certain annual Roll by themselves, which shall be read every year upon the accounts of Sheriffs.

XIX. The remanents of the farms shall be written by later dates in the annual Rolls, and the Sheriffs shall be charged therewith; in which remanents, Liveries, Almes assigned, and other allowances (if Sheriffs have had any) of the issues of their Bailiwicks by the Kings writs shall be allowed; And to the end, the King may not be abused in such allowances, the Treasurer and Barons shall certifie the Chancellor the due allowances, and the writs of allowances shall be made according to such certificate.

XX. Also

XX. Also in those annual Rolls shall be written the Sheriffs returns, the profits of Counties, the fermes of Serjeanties, Asserts, Cities, Burroughs, Towns, and other fermes, whereof there is answer yearly made in the Exchequer. In them likewise shall be written all debts determined, grosse debts, and all other debts, that seem to be cleer, Howbeit new duties shall not be written therein, but those debts, whereof there is hope of payment, and whereof the Sheriff is answerable, and debts found in the originals.

XXI. Of dead fermes and desperate debts, whereof there is no hope, one roll shall be made intituled *Comitatus*, and shall be read yearly upon the Sheriffs accompt, and the debts there, whereof the Sheriff is answerable, shall be written in the annuall roll, and there shall be acquitted.

XXII. Tailles already paid and not allowed but charged in the summons of the Exchequer shall after proclamation be delivered to the Sheriffs to be allowed upon their accompts; and two faithful Knights in every County shall be present at the delivery of such Tailles, which shall be so delivered by Indenture betwixt the Knights and the Sheriffs, which Knights shall send their part to the Exchequer at the Sheriffs accompt; And if the Tailles be not so delivered as foresaid, the party failing shall be chargeable with the debt.

XXIII. Inquisitors shall be appointed in every County, what debts, and what part thereof are paid, and what not, which Inquisitors shall certifie the persons convict to have received them, and thereupon Examination thereof shall be made in the Exchequer, and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer shall not make the Sheriffs or Bailiffs Tails of *dividends*, unless they first receive of them writings concerning the particular summes of the actions of debts, and the names of them that paid them, unto which particulars he may put the names of such *dividends*, which being so received under their seals, they shall not be afterwards numbred into other particulars.

XXV. When *Nichils* are returned by the Sheriff, they shall be returned into Rolls and delivered unto circumspect men to be inquired of, as the Treasurer and Barons shall direct.

XXVI. No suit shall be prosecuted in the Exchequer unless it concern the King and his officers there.

XXVIII. Stat. 37. E. 3. 4. The Clerks of the Remembrance shall sit against the Clerk of the Pipe to take notice of and imbreake all discharges in the Pipe, to the end that processe may thereupon cease: also upon such discharge the summons of Pipe shall be withdrawn.

C. CVIII. Stat.

XXVIII. Stat. 1. R. 2. 5. All former statutes made concerning the officers of the Exchequer shall be firmly kept.

XXIX. If any officer there make out processe for a debt already paid, he shall lose his office, be imprisoned, and make gree with the party at the discretion of the Treasurer and Barons.

XXX. Stat. 5. R. 2. Stat. 1. 9. Every person impeached in the Exchequer may plead there in his owne discharge.

XXXI. Stat. 5. R. 2. Stat. 1. 11. Accompts in the Exchequer shall be heard, made and ingrossed more speedily then they were wont.

XXXII. Stat. 5. R. 2. Stat. 1. 12. Two Clerks shall be assigned and sworn to make parcels of Accompts in the Exchequer, and shall be recompenced for their pains as the Barons shall think fit.

XXXIII. Stat. 5. R. 2. Stat. 1. 13. No accompts of *Nihil* shall be admitted, but upon oath, and examination of the officer, who upon such oath shall be discharged thereof, saving the Kings right.

XXXIV. Stat. 5. R. 2. Stat. 1. 14. The Clerk of the Pipe and the two Remembrancers shall be sworn to make due entry (every term) of all Writs for the discharge of any person. And the Remembrancers shall also be sworn to make a Schedule (every term) of such as shall be so discharged, and to deliver it to the Clerk of the Pipe, to the end they may be also discharged in the great Roll; and the Clerk of the Pipe shall also be sworn to require such schedules, and to deliver like schedules to the Remembrancers of such as shall be discharged in his office.

XXXV. Stat. 5. R. 2. Stat. 1. 15. If a Judgement of Livery given in any other Court shall be sent into the Exchequer, the Remembrancer in whole office such accounts shall be demanded shall not issue new processe thereupon, but shall cause it to cease by an endorsement upon the writ.

XXXVI. Stat. 5. R. 2. Stat. 1. 16. The Clerks fee for making of a Commission or Record of *Nisi prius* in the Exchequer shall be only 2 s.

XXXVII. Stat. 13. R. 2. Stat. 1. 14. Recognizances or Bonds of the double made in the Exchequer for the Kings debts shall be void: Provided, that the King be secured his duty the usual way.

XXXVIII. Stat. 1. Ja. 26. Issues lost, which by Queen Elizabeths orders made in the fifteenth year of her Reign, ought to be remitted, shall from henceforth be discharged in the Exchequer.

XXXIX. If the Treasurers Remembrancer or any officer

der him observe not the said orders, they shall forfeit 20 l. to be sued for within two years, and to be divided betwixt the King and the party grieved.

X L. No procelle to do homage and fealty, or fealty onely, or writs of *scire facias*, *capias*, or distresse for fines estreated out of the Common Pleas, shall issue out of the Remembrancers office upon supposal onely, upon the pains provided by former lawes and orders of the Exchequer, but it must be upon just ground: And if it appear there that a tenure hath been traversed, the procelle shall be discharged by such traverse without pleading.

X L I. Upon the estreate of the original of the Chancery of the first grants of any lands holden in chief, by Knights Service, or Soccage in chief, or of any licence or pardon of alienation, *Ouster le maine*, general or special livery, or the inrolment of any of them, procelle shall be made onely for the services due thereupon, and the parties shall be admitted without pleading, paying the fine, as hereafter is expressed.

X L II. Here, where the first tenant is returned *Mort*, or *Nihil habet*; then shall issue out a *disfring. tenent*. for the tenant or tenants to do his or their service against whom (after he or they are known) procelle shall issue out every term with issues to be lost, until they come in, shew their entry, make fine, &c.

X L III. If a grantee of an Inheritance or Freehold in lands holden in chief, or by Knights service have a licence of Alienation, and bring it to the Treasurers Remembrancer, it shall be received and inrolled without plea: so likewise shall a Livery general or special, or *ouster le main*.

X L IV. Where any writ of Reversion shall be made upon Record for lands, wherein the Prince is in Reversion, the party on shewing a Record testifying so much shall be discharged without plea.

X L V. Where two Mannors in one County have the same issue, if that of them be charged which ought not, the issues out shall be discharged and the party discharged without plea.

X L VI. Issues lost by any, which are returned tenants of lands, which they have not, shall be discharged.

X L VII. Issues lost upon a Ward under age shall be discharged; so also shall those returned upon the Committee of a ward.

X L VIII. Issues lost upon lands in the Queens hands by extent, shall be discharged; so also shall those returned upon tenants for life, year, or at will; or upon tenants of lands in chief by extent.

X L I X. Issues lost by untrue returns, or misreturns by Sheriffs shall be discharged.

L. Issues lost upon any former grants of lands in chief, and now not holden, shall be discharged.

L I. Issues lost by being returned upon a Jurie, when the party at the time of his apparence was in prison, beyond Sea, or in the Queens service, shall be discharged.

The Exchequer-fees for respect of Homage.

The value of the Land		The Queens Fee		The Re- membran cers fee.		The Entry.		The Attour- neys Fee.	
li.	li.	sh.	d.	sh.	d.	sh.	d.	sh.	d.
A	100 ad 60	10	00	01	08	00	04	By some	03 04
A	60 ad 30	06	08	01	08	00	04	By some	01 08
A	30 ad 20	05	00	01	08	00	04	By some	00 00
A	20 ad 15	03	04	01	08	00	04		li. sh. d.
A	15 ad 10	02	00	01	08	00	04	By some	2 00 0
A	10 ad 10m	01	08	01	08	00	04	volunta-	1 00 0
A	10m. ad 5 li.	01	00	01	00	00	04	ry annu-	0 13 4
A	5 li. ad 3 li.	00	08	00	08	00	04	ities for	0 10 0
A	3 li. & infra	00	04	00	04	00	04	all mat-	0 0 68
								ters.	0 0 50

*These never lose
issues, but have
their fines paid,
whether they come
or not.*

L I I. The Treasurers Remembrancer shall satisfy every subjects charges, that shall be vexed upon a supposall to be set by the Court; so also shall his Clerks pay the Issues Lost, when the subject hath duly paid his respect of Homage, to be proved by the acquittance.

L I I I. The Treasurers Remembrancer may by order of the Exchequer issue out proccesse for the discovery and preservation of tenures, notwithstanding this Act; Howbeit, no such tenure appearing, the party shall be discharged without plea or fee.

Escheators.

I. Stat. 14. E. 3. 8. Escheators shall be chosen by the Chancellor, Treasurer and chiefe Baron calling to them the two Chief Justices as Sheriffs use to be chosen, And they shall not continue in their office above one year.

II. Stat. 34. E. 3. Stat. 1. 13. Every Escheator shall take his Enquests of good and lawful men, well inherited, of good fame, and inhabiting the County, where the inquiry is made; And the Enquest so taken shall be indented between him and the Jurors, otherwise they shall be void. The Enquests shall also be taken in good towns openly and not privily

III. Stat. 34. E. Stat. 1. 14. Traverses of offices found before the Escheators shall be tried in the Bench.

IV Stat. 36. E. 3. Stat. 1. 13. An Escheator shall have no fee of the lands of the Kings wards, neither shall he commit any waste therein, in paine of forfeiting treble damages at the wards own suit, or by his friends; The same law is also of other land seised by Enquest of office.

V. Land seised into the Kings hand by an Escheator shall be let to farm by the Chancellor to him, which tendreth a traverse to the office.

VI. Enquests shall be taken openly and by Indenture as aforesaid, And if the Escheator do contrary to this Act, he shall suffer two yeares imprisonment, and be ransomed at the Kings will.

VII. Stat. 42. E. 3. 5. None shall be Escheator, unlesse he have 20. l. of land at least in fee: He shall execute his office in proper person, and upon the putting in of another, his office determines

VIII Stat. 8. H. 6. 16. No Escheator or Commissioner shall take any Enquests but such as are impanelled by the Sheriff of the County within which he beares that office, in pain of 40. l. to be divided betwixt the King and the partie grieved.

IX. Lands seised by the Escheator shall not be let to farm before the officer be fully returned, and then they shall be left to him who tendreth a traverse: to the offic; he finding surety to prosecute with effect, and to answer the profits, in case he cannot maintaine the traverse: but then he must tender his traverse within a moneth after the returne.

X. The Escheator or Commissioner shall returne the office within a moneth, in pain of 20. l. to be divided betwixt the King and the pro-
curator.

XI. **Stat. 18. H. 6. 6.** No lands shall be granted before the Kings title thereunto be found by inquisition, nor within a moneth after, unlesse it be to him, that tendreth his traverse, as afore said.

XII. **Stat. 18. H. 6. 7.** The Escheator shall return an office found before him into the Chancery or Exchequer within one moneth after the taking thereof, in pain of 40 l. given by the *Stat. of 8. H. 6. 16.* and besides to answer so much to the King as he is damnified for not returning the same.

XIII. **Stat. 23. H. 6. 17.** The Escheator shall take his Inquest within one moneth after the delivery of the writ unto him, and that in some good Town openly.

XIV. He shall not take above 40 s. for the execution of one writ in one County, and that onely when his labour and costs require it, otherwise he ought to take lesse, and all this in pain of 40 l. to be divided betwixt the King and the prosecutor.

XV. If any will traverse an office, no protection shall lie for the Patentee, and concerning the demise of the land to him that renders a traverse, the Statutes of 36. E. 3. 13. 8. H. 6. 16. and 18. H. 6. 6. shall be duely observed.

XVI. **Stat. 12. E. 4. 9.** None shall take upon him to be an Escheator or Deputy to an Escheator, unles the Escheator himself hath freehold within the County worth 20 l. *per annum*, in pain of 40 l. to be divided betwixt the King and the prosecutor.

XVII. His Deputy or Farmer shall be a sufficient man, and shall certifie into the Exchequer his deputation within twenty dayes next after it is made, upon the like pain of 40 l. to be divided, as afore said.

XVIII. Justices of Peace in Sessions have power to hear and determine these defaults, and to give judgement for the recovery of the said forfeitures.

XIX. This Statute shall not restrain Corporations, which have power by their Charter to appoint Escheators.

XX. **Stat. 1. H. 8. 8.** No Office shall be returned into any of the Kings Courts, but such as is found by Jury, in pain to forfeit five pounds to the party grieved.

XXI. The yearly revenue of an Escheator or Commissioner shall be fourty Marks in freehold land in the same County, so that they shall not execute any writ, unless they have lands of that value, in pain of twenty pounds, and the Commissioner (not having such an estate) may refuse to sit, and shall be discharged upon oath without fine or fee.

XXII. They shall in open places according to former Statutes,

tures, and shall take their evidence openly, in pain of 40*l.*

XXIII. Here, if the Sheriff return a Juror not having 40*s.* *per annum* freehold in the same County, he shall forfeit 5*l.*

XXIV. The Inquisition shall be taken by Indenture, whereof one part shall remain with the foreman, and the other part is to be delivered by the Commissioners or Escheator into the Petty-Bag-office, from whence it is afterwards to be transcribed into the Exchequer: And the Juror shall present by Indenture, in pain to forfeit 20*s.* a piece, the Escheator also, or the Commissioners, or some of them shall receive the Jurors presentment without delay, in pain of 5*l.*

XXV. The officer in the Petty Bag shall file the office within three dayes after receit thereof, in pain of 40*l.*

XXVI. The officer in the Exchequer that refuseth to receive an office upon tender shall forfeit 40*l.* And then the Escheator or Commissioners shall be discharged of their forfeiture of 40*l.* for not returning the officer within a moneth, so that they return another into the Chancery or Exchequer (as the cause requires) within a moneth after that first moneth.

XXVII. The Clerk of the Petty Bag shall send a transcript of the office into the Exchequer the next term after he receives it, in pain of 5*l.*

XXVIII. None shall be Escheator above a year, nor within 3 years after; And the abovesaid forfeitures of 5*l.* the party grieved shall have, but the rest shall be divided betwixt the King and the prosecutor.

XXIX. This Act shall not restrain such as by reason of any franchise, prescription, or grant may depute Escheators, but that such Escheators may hold their offices above a year.

XXX. Neither shall the branch of this Act concerning the yearly value of estates of Escheator and Jurors extend to Corporations or privileged persons, and places, the County Palatine of Lancaster and Chester only excepted.

XXXI. Neither shall this Act extend to prejudice Justices of Peace for doing any thing which concerns the Commission of Peace.

XXXII. Stat. 1. H. 8. 10. Lands seized into the Kings hands upon an enquest of office shall be let to farm to him, that tendereth to traverse the same within three moneths after such office found, notwithstanding the Statute of 8. H. 6. 16.

XXXIII. Stat. 33. H. 8. 12. He that is certified in the Chancery by the Treasurer to be Escheator shall within one moneth take

upon him the office, or shew cause in the Exchequer why he doth it in pain of 20 s.

XXXIV. The Escheator shall not sit, *virtute officii*, where the lands be 5 l. *per annum*, or above, in pain of 5 l.

XXXV. The Escheator shall forfeit 5 l. if he take for the finding of an office of lands, that exceed not 5 l. *per annum* above 15 s. *viz.* for his own fee 6 s. 8 d. for writing the office 3 s. 4 d. for the Juries charges 3 s. and for the officers above, that are to receive the office 2 s.

XXXVI. The officers appointed to receive Inquisitions, shall receive them upon tender within a moneth after their finding, in pain of 5 l.

XXXVII. The abovesaid forfeitures shall be divided betwixt the King and the prosecutor.

XXXVIII. Stat. 2. & 3. E. 6. 8. The estates and Interest of others shall be saved, though they be not found in the office.

XXXIX. Where an heir of full age is found within age, he shall have a writ of *Etate probanda* and may proceed to sue out his Livery, or *Ouster le main*, (as his case is) and receive the profits of his lands, notwithstanding such office found.

XL. Where after the Kings tenants death, more heirs then one are found, or if one be untruly found a Lunatick, Idiot, or dead, the party grieved may have his traverse, as in other cases of untrue Inquisitions.

XLI. A traverse, or *Monstrance de droit* is given without petition, though the King be entitled by double matter of Record.

XLII. When the Jury findes *de quo vel de quibus, &c. ignorant*, or *per quæ servitia ignorant*, the first shall not make a tenure of the King, nor the last a tenure *in capite*, but in such case a *melius inquirendum* shall issue forth.

XLIII. Traverse given to an office, where a wrong tenure is found.

XLIV. The rents of mean Lords shall be paid (during the nonage of the ward) by the officer, that receives the revenue of the Wards lands.

XLV. This Act shall not extend to Inquisitions taken before the 10 of March 1548.

XLVI. Upon every traverse a *scire facias* of two writs of search shall issue forth, *viz.* the first against the Kings Patentee, and the other when by the Common Law the party grieved was put to his Petition.

XLVII. Notwithstanding a traverse, the Kings former right shall be reserved, Escuage.

Escuage.

I. *Magna Carta*, 37. Escuage shall be taken as it was wont in the time of King Henry our Grandfather.

Essoine.

I. *Parlb.* 13. 52. H. 3. After issue joined in Dower, *Darrein presentment*, or *Quare impedit*, one Essoin or one default shall be onely allowed, and if the party come not at the day given, or make default the second day, the Enquest shall be taken, and judgement given.

II. If the Enquest be taken in the County before the Sheriffe or Coroners, it shall be returned before the Justices at a certain day, when if the party appear not, another day shall be assigned by the Justices, and then shall issue a command to the Sheriffe to cause the party to come to hear the judgement: when if he come not, the Justices shall proceed to judgement: In like manner, it shall be done, if he come not at the day given by the essoine.

III. *Parlb.* 19. 52. H. 3. In Counties, Hundreds, Court-Barons, or other Courts, none shall need to swear to warrant this essoine.

IV. *West.* 1. 41. 3. E. 1. In Affize, Attaints, and *Juris ultimum* after apparence the tenant shall not be essoined.

V. *West.* 1. 42. 3. Parceners or tenants jointly enfeofeod shall not fouch by essoine.

VI. *West.* 1. 43. 3. E. 1. Essoine *ultra mare* shall not be allowed, but shall be turned into a default, if the demandant will prove, that the tenant was within the four Seas the day of the summons and three weeks after. Howbeit, this is onely to be done before Justices.

VII. *Glocester*, 10. 6. E. 1. The husband and wife being impleaded shall not fouch by essoine.

VIII. *West.* 2. 12. 13. E. 1. There shall be no essoine for an Appellant.

IX. *West.* 2. 17. 13. E. 1. In the Circuit of the Justices an essoine *de malo lecti*, lieth not for lands in the same County, unless the party be sick indeed; for if at the instance of the demandant it be proved by Inquest that the tenant is not sick, the Essoin shall be turned to a default.

X. Neither shall such an essoin lie in a writ of right between two claiming by one descent.

XI. *West.* 2. 27. 13. E. 1. An effoine may be allowed at the next day after inquest, but none at any of the other dayes following, nor after day given *prece partium*.

XII. *West.* 2. 28. 13. E. 1. In Assize after apparence the demandant shall not be effoined.

XIII. *Stat.* of Effoines 12. E. 2. Effoines do not lie in the insuing cases, where the land is taken into the Kings hands; where the party is distrained by his lands; where any judgement is given thereupon, if the Jurors come; where the party is seen in the Court; Effoine *ultra mare* lieth not, where the party hath had before an effoin *de mal venir*; It lieth not where the party hath effoined himself another day; where the Sheriffe was commanded to make the party to appear; effoine *de servitio Regis* lieth not where the party is a woman; it lieth not in a writ of Dower; or because the plaintiff hath not found pledges; it lieth not where such a mans Attourney was effoined; where the party hath an Attourney in his suit; where the effoiner confesseth, that he is not in the Kings service; where the summons is not returned, or the party not attached upon *non est inventus* returned; where the party was before effoined *de servitio Regis*, and hath not put in his warrant; where the party hath been resummoned in Assize of Mortdancer, or Darrein presentment; It lieth not because such an one is not named in the writ; nor where the Sheriffe hath a Precept to distrein the party to come, by his lands and goods; nor where the Bishop was commanded to cause the party to appear; nor for that the day is past.

XIV. An effoine *de servitio Regis* is allowed after the *Grand cape*, *Petit cape*, and distresses taken upon the lands and goods.

XV. *Stat.* *De visu terra*. An effoine *de servitio Regis* lieth not in a writ of *Novel disseisin*, *Dower*, *Darrein presentment*, or *Appeal*. *Vide* *Rast.* *Effoin* 13.

Estrepiement

I. *Glocester*, 13. 6. E. 1. No waste shall be made hanging a suit for the land.

Estraits.

I. *West.* 1. 44. 5. E. 1. If tenant or defendant make default after the first attachments returned, the great distrein shall be awarded; whereupon if the Sheriff make no sufficient return, he shall be amerced, but if the return be that he hath done execution, and delivered the

the issues to the sureties, day shall be given him to return them before the Justices, when if the party appear, he shall have them, but if not, the King shall have them; and the Justices shall cause them to be sent into the Kings Wardrobe, and then deliver them in the Exchequer, and the Justices in Eyre, to the Sheriffe of the County (where they plead) and likewise of forreign Counties, who shall be chargeth therewith by the Rolls of the Justices.

II. Stat. *De forma mittendi extractus ad scaccarium* 15. E. 2. Vide Rast. *Estreats* 2. First, all fines to have writs, and all other fines (wherein the sum is expressed) of one County for the whole year, which are to be sent into the Exchequer, entred in the streat by themselves in one place, in order as they are entred in the Chancery Rolls, together with the date of the day when such fine was made.

III. Next to them shall be entred Charters, Letters Patents, and Commissions in which any rent is due to the King, or any accompt to be made; Then, homages, fealties, writs of *Diem clausit extremum*, relieves and services.

IV. Then, the names of all such as shall be assigned that year to hear, inquire of, or do any thing, whereby fine, amerciament, or other profit may arise to the King, to the end they may be sent to for the estreats thereof. And in the end of the estreat redisseisins and surcharging of Pastures.

V. Statutum *scaccarii* is confirmed, and it is further ordained, that the Justices of both the Benches, the Warden of the forrest, the Steward of the Kings house, and the Clerk of the Market, shall in like manner yearly deliver their estreats into the Exchequer: The Steward of the Kings house shall also send his estreats yearly at the close of Easter-Term, and the next day after *Michaelmas*.

VI. The Warden also of the Aulnage shall yearly deliver his estreats to the Treasurer, conteining all defaults of cloth contrary to the Assize, and the price, at which he delivered them, and also where, when, and by what warrant.

VII. Divers other provisions for the Kings Butler, and Customers concerning wines imported.

VIII. Stat. 42. E. 3. 9. The party chargeable by the estreats of green wax upon payment thereof shall see the schedules themselves under seal, and the charge being paid, it shall be totted by the Sheriff, for default whereof if the party be afterwards damaged, the Sheriff shall pay him treble damages, to be recovered before Justices of Peace, or other Justices, and shall besides make fine to the King. Also where the copies of the estreat concern franchises,

chises they shall be delivered to Bailiffes of such Franchises under the Sheriffes seal, which Bailiffes shall render an accompt thereof in the Exchequer by the same Copies.

IX. Stat. 7. H. 4. 3. The Justices and Judges, before whom Issues or amerciements are forfeit, shall charge the Clerks of the estreats, where they are so forfeit, by oath to expresse in their Rolls the cause of such forfeit, the term when, the nature of the writ whereupon, and betwixt what parties they were lost, and that as well in the Kings suit, as in the parties.

X. The Statute of 42. E. 3. 9. confirmed.

Evidence.

I. Stat. 7. Ja. . An Action being brought against a Justice of Peace, Major, or Bailiffe of a Corporation, Head-borough, Portreeve, Constable, Tithing-man, or Collector of subsidies or fifteens for any thing done by reason of their several offices, both they and all their assistants may plead the general issue, and yet give the special matter in evidence.

II Here, if the verdict passe for the defendant, or the plaintiffe be nonsuit or discontinue his suit, the defendant shall be allowed double costs, to be recovered, as costs in other cases given to the defendant use to be recovered.

III. Stat. 21. Ja. 12. The Statute of 7. Ja. 5. is confirmed, and Churchwardens, Sworn-men, and overseers of the Poor, together with their Assistants are to be comprehended within the purview of the same Statute.

IV. An action brought against any of the said officers their Deputies or Assistants shall be laid in the County where the fact was committed, and not elsewhere.

Exception.

I. Stat. 2. 31. 13. E. 1. When the Justices will not allow a Bill of exception upon Prayer, if the party impleaded render the same unto them in writing, and require their seals thereunto, they or one of them shall do it.

II. If the exception sealed be not put into the Roll, upon complaint thereof to the King the Justice shall be sent for, and if he cannot denie the seal, the Court shall proceed to judgement, according to the exception.

Excommunication.

I. *Sententia lata super Cartas* 38. H. 3. *Vide Rast. Excom.* 1. In the year 1254, by the consent and in the presence of the King, the Lords and other Estates of the Realm. Boniface Archbishop of Canterbury and all the other Bishops then present being apparelled in Pontificals with tapers burning, do in *Westminster-hall* solemnly denounce a heavy curse and excommunication against all such as shall violate or break the liberties of the Church, or Customs and Liberties of the Realm, and especially those contained in *Magn. Cart.* and *Cart. de Foresta*.

II. *Articuli super Cartas*, 7. 9. E. 2. The Kings letters, that the Ordinaries shall absolve excommunicate persons, shall not issue forth any more, unless it be found, that the Kings libertie is prejudiced by such excommunication.

III. *Articuli super Cartas*, 12. 9. E. 2. The writ of *excommunicato capiendo* shall not be denied for the priviledge of being of the Kings tenure, and that the party ought not to be cited out of their Parish.

IV. *Stat.* 9. E. 3. Writs are ordeined for the Bishops to excommunicate all perturbors of the peace of the Church and King, felons, maintainers and conspirators of felonies, false Jurors, and maintainers of false quarrels, every Sunday and double feasts, &c. in all Cathedral and other Churches, and to proceed against them according to the Canon Lawes. *Vide Rast. Abridg. Edit prim.*

Excommunicato capiendo.

I. *Stat.* 5. E. 23. Every writ *de excommunicato capiendo* shall be made in Term-time, and returnable in the Kings Bench the next Term after the *teste* thereof, having 10 dayes between the *teste* and return.

II. After the writ shall be sealed, it shall be forthwith brought into the Kings Bench, and there opened and delivered of record to the Sheriffe or other officer, or their Deputies, to whom the execution thereof appertains; and then if the Sheriffe or other Officer do not duely execute it, the Justices there shall amerce him at their discretion, and estreat the amerciamnt into the Exchequer.

III. At the return of the writ the Sheriff or, &c. shall not be compelled to bring the party arrested in the Kings Bench, but only

onely return the writ with a short Declaration how it was executed, to the end the Justices may proceed therein, according to the tenor of this Act.

I V. If the Sheriffe, or, &c. return a *Non est inventus*, then shall issue out of the Kings Bench, a *Capias* returnable in Term-time two moneths (at least) after the *teste* thereof, with a Proclamation to be made ten dayes (at least) before the return at the County-Court Assize, Gaol-delivery, or Sessions, that the party shall within six dayes after such proclamation yield his body to the Gaole, and there remain as a prisoner, in pain of 10 l. And what shall be done therein and thereupon shall be returned by the Sheriffe, or, &c.

V. If upon the return it appear that the party hath not rendered himself prisoner upon the first *Capias*, he shall forfeit 10 l. more to be estreated, as aforesaid; and then a second *Capias* shall be awarded against him with proclamation, as before, and a pain to forfeit 20 l. whereupon if he do not render himself prisoner, he shall forfeit 20 l. to be estreated by the Justices, as aforesaid; And then a third *Capias* shall be awarded, with like proclamation and pain; and then a fourth, and so infinitely, until he render himself prisoner upon the several returns, whereof he shall forfeit 20 l. to be estreated, as aforesaid.

VI. The party yielding his body shall be committed to prison, in like sort as if he had been taken upon the *Excom. cap.*

VII. If the Sheriff, &c. make a false return upon any of the said writs, he shall forfeit to the party grieved 40 l.

VIII. The Bishops authority to receive submission and deliver the excommunicate is saved, according to the former usage, viz. by a certificate thereof into the Chancery from the Bishop, and then a writ from thence to deliver the prisoner.

IX. In wales, the Counties Palatines of Lancaster, Chester, Duresham, and Ely, and in the Cinque-Ports (being jurisdictions exempt where the Queens writ runneth not) a *Significavit* (being of Record in Chancery) shall be sent by *Mittimus* to the Justices or Head-officers there, who shall then proceed against the excommunicate, as the Kings Bench is above directed.

X. Persons in prison, beyond sea, under age, of non sane memory, or Covert shall not incur the penalties aforesaid.

XI. If in the *Excom. cap.* the excommunicate have not a sufficient addition according to the Statute of 1. H. 5. 5. Or if in the *Significavit* it be not contained, that the excommunication proceeded upon some cause or contempt of some original matter of heresy, refusing to have his childe baptized, to receive the Sacrament, or

come to Divine Service, or error in matters of Religion or Doctrine, Incontinency, Usury, Simony, Perjury in the Ecclesiastical Court, or Idolatry, he shall not incur the penalties aforesaid.

XII. If the addition be with a *Nuper* of a place, the first *Capias* and proclamation shall Issue forth without any penalty; and in such case also, if the party be proclaimed in a County where he is not for the most part resident, he shall not incur the forfeitures aforesaid.

Execution.

W. 2. 18. 13. E. 1. He that recovereth debt or damages in the Kings Court may at his choice have a *fiere facias* of the land and chattels of the debtor, or a Writ for the Sheriff to deliver him all the chattels of the debtor (except Oxen and Plough-beasts) and the moiety of his land by a reasonable extent till the debt be levied: and if he be ejected out of the Land he shall have an Assize, and afterward a writ or disseisin, if need be; And this last writ is called an *Elegit*.

I. **W. 2. 45. 13. E. 1.** For all things recorded before the Kings Justices, or contained in fines (whether Contracts, Covenants, Obligations, Services, for Customs acknowledged, or any other things inrolled) a writ of execution shall be within the year: But after the year a *scire facias*; whereupon if satisfaction be not made, of good cause shewed, the Sheriff shall be commanded to do execution.

II. In like manner also shall the Ordinary be commanded in his case: Howbeit as concerning a *Mesne*, which by recognizance or judgement is bound to acquit, what is said before (which see in *Mesne* 1.) must be observed.

IV. **Stat. 32. H. 8. 5.** If lands delivered in execution upon just cause be recovered without fraud from the tenant in execution before he shall have levied or received his whole debt and damages, he may have a *scire facias* out of the Court from whence he had the execution returnable into the same Court at a day, 40 dayes at least) after the date of such *scire facias*; At which day, if the defendant being lawfully warned, make default or do appear, and do not plead a sufficient cause (other then the former acceptance of the lands to avoid the said suit for the residue of the said debt and damages, the said Court shall issue forth a new writ of execution for the levying thereof.

V. **Stat. 1. J. 13.** If any taken in execution be delivered by privilege of Parliament, as soon as such privilege ceaseth, the plaintiff

plaintiff, his executors, or administrators may sue out a new execution against him; and the Sheriff or other officer shall not be chargeable for the first arrest.

VI. This Act shall not lessen the punishment of any by censure of Parliament, who shall presume to procure such an arrest.

VII. Stat. 3. Ja. 8. No execution shall be stayed upon any writ of error or *superfedeas* thereupon, for the reversing of a judgement in any action of debt, or upon any contract in the Courts at *westm.* of the Counties Palatine of *Lancaster* and *Chester*, or of the great Sessions in *wales*, unless the Plaintiff with two sufficient sureties (such as the Court shall like of) shall first be bound to the party (for whom such judgement is given) by recognizance in the same Court, in double the sum adjudged, to prosecute the said writ of error with effect, and to pay (if the judgement be affirmed) all debts, damages and costs so adjudged, and all costs and damages for delaying of execution by the writ of error.

VIII. Stat. 21. Ja. 24. The party or parties, at whose suit any person shall stand charged in execution for debt or damages recovered, their executors or administrators may after the death of the person so charged and dying in execution, lawfully sue forth new execution against the lands and tenements, goods and chattels of the person so deceased, in like manner as if the person deceased had never been taken in execution. Howbeit, this Act shall not extend to lands sold *bona fide*, (after the judgement given) when the money raised thereupon is paid or secured to be paid to Creditors in discharge of due debts.

Execution of Statutes:

I. Stat. 3. H. 7. 1. The Lord Chancellor, Treasurer, and Privie Seal or any two of them, calling to them a Bishop, a Lord of the Council, and the two chief Justices (or two other Justices in their absence) upon Bill of Information put to the Chancellor, for the King or any other for maintenance, retainers, embraceries, untrue demeanings of Sheriffes, taking of money by Juries, great riots, or unlawful assemblies, have authority to call before them by writ or privy seal the said misdoers, and them and others to examine, and to punish them according to the Statutes in that behalf made, in like manner as if they were convicted by due order of Law.

II. Stat. 21. H. 8. 20. The President of the Kings Council shall be associate with the Lord Chancellor, &c. for the examination and punishment of the misdoers, aforesaid, according to the said Stat.

Statute of 3. H. 7. 1. and other Statutes thereof made.

Executors.

I. *West. 2. 23. 13. E. 1.* Executors shall have a writ of accompt, and like action and proesse in the same writ, as their testator should if he had lived.

II. *Stat. 4. E. 3. 7.* Executors shall have an Action for a trespass done to their testator, as for his goods and chattels carried away in his life, and shall recover their damage, in like manner as he, whose executors they are, should have done, if he had lived.

III. *Stat. 9. E. 3. Stat. 1. 3* In a writ of debt brought against executors, they shall have but one essoine amongst them all before apparence, and another after, so that they shall not fourch by essoine.

IV. Here, though the Sheriffe upon the Summons return *nihil*, yet an attachment shall be awarded, and upon *nihil* also returned thereupon the great distresse, and then he or they that appear shall answer.

V. Albeit some of them after apparence make default at the return of the great distress, yet shall he or they be put to answer, that first appeared at the great distress so returned.

VI. If judgement pass for the plaintiffe, he shall have judgment and execution against them that have pleaded, and against all others named in the writ, of the testators goods, as well as if they had all pleaded.

VII. Any may sue in this case according to the law formerly used, (if he please) notwithstanding this Statute.

VIII. *Stat. 25. E. 3. Stat. 5. 5.* Executors of executors shall have actions of debt, account, and of goods carried away of the first testators; and execution of Statute-merchants and Recognizances made unto him, and shall also answer to others so far forth as they shall recover of the first testators goods, as the first executors should have done.

IX. *Stat. 33. H. 6. 1.* Where servants after the death of their Lords or Masters do imbezil their goods, after full information thereof made to the Lord Chancellor by the executors or two of them of such spoil made, the said Lord Chancellor by advice of the two chief Justices and chief Baron, or two of them shall have power to make such writs to be directed to such Sheriffs, as to them shall seem fit, to make Proclamation in such places within twelve dayes after delivery of the said writs, as to the said Chancellor by the advice

vice aforesaid shall seem reasonable, that the offenders appear in the Kings Bench at the day limited in the writ, which Proclamation shall be made 15 dayes before the day of appearance, when if the offender appear not he shall be attainted of felonie.

X. If the party appear, the Justices shall commit him to prison, there to remain, until he hath answered the executors in their actions, and the same actions be determined, provided, that they be pursued with effect and not slackly.

XI. The offender may be bailed by the Justices of that Bench, procuring two sufficient persons to be bound with them to the executors by recognisance in the said Court, to keep such dayes, as he shall have by the same Court.

XII. The Gaoler shall not let them go at liberty without the Justices order, in pain of 40^l.

XIII. Stat. 21 H. 8. 4. That part of the executors which take upon them the charge of a will may sell any land devised by the testator to be sold, albeit the other part, which refuse, will not join with them.

XIV. Stat. 43. E. 8. If any person shall obtain any goods or debts of an Intestate, or a releases or other discharge of any debt or duty, (which belonged to the Intestate) by fraud (as by procuring the administration to be granted to a stranger of mean estate, and not to be found, with intent thereby to obtain the Intestates estate) and not upon valuable consideration, or in satisfaction of some just debt answerable to the value of the goods so obtained, in such case such person shall be chargeable as executor of his own wrong, so far as the value of the goods or debts so obtained shall amount unto: Howbeit he shall be also allowed such reasonable deductions, as other executors or administrators ought to have.

Exigent and Outlawry.

I. Stat. 5. E. 3. 12. Where the Plaintiff recovers damages, and the Defendant is thereupon outlawed, no pardon shall be granted, except the Chancellor be certified, that the plaintiff is satisfied his damages.

II. Where one is outlawed by process before appearance, no pardon shall be granted, except the Chancellor be certified, that the person outlawed hath yielded himself to prison before the Justices of the place, from whence the *Exigent* issued.

III. If the outlawry happen to be before the Justices of Oyer and Terminer and those Justices be risen before he yield himself before

fore them, in that case he shall do it in the Kings Bench. And then the record thereof being removed thither by writ, a *scire facias* shall issue to the plaintiff to warn him to appear at a certain day, at which if the warning be duly executed, and the plaintiff appear then shall they plead upon the first original, as though no outlawry had been; but if he come not, the outlawed person shall be delivered by his Charter; and note that all such Charters are of the Kings grace, as before they have been.

IV Stat. 5. E. 13. If any will defeat an Outlawry by reason of Imprisonment testified by the Sheriffe, or others having no record let the party yield himself to prison, and then the Justices shall cause the plaintiff to appear at a certain day, at which day the averment of such outlawed person shall be received, and so also shall the Kings Council or prosecutor have their averment against such testimony.

V. Stat. 18. E. 3. Stat. 1. *Exigents* are to be awarded against Receivers of the Kings money or wool, which detain the same, and against such as transport wool not cockered or customed, confederators, and conspirators of quarrels, rioters, and such as bring in false money, if they cannot be found or brought in by attachment or distresse, and not against any other.

VI. Stat. 18. E. 3. Stat. 2. 5. No *Exigent* shall go forth against one indicted for trespass, unless it be against the Peace, or of the things contained in 18. E. 3. Stat. 1.

VII. Stat. 6. H. 3. 4. In personal actions, if the defendant is sued in a County where he dwells not; and an *Exigent* awarded thereupon, no outlawry shall be had before a writ of Proclamation be also awarded, and returned by the Sheriff of the County, where the defendant is or lately was dwelling, and if the defendant dwell in a place, where the Kings writ runneth not, it shall be directed to the Sheriffe of the County next adjoining thereunto.

VIII. By this writ the Sheriffe shall make three Proclamations at three several dayes, *viz.* twice in full County, and once at the general Sessions, that the defendant shall yield himself unto him; and it shall have the same day of return with the *Exigent*.

IX. This writ shall be delivered of record to the Sheriff or his Deputy, who shall duly execute the same, in pain of amercement, and the Officer that makes the *Exigent* shall also make the writ of Proclamation, for which his fee is 6 d.

X. All outlawries otherwise obtained are *null*, and may be avoided by averment without suing of any writ of error.

XI. Stat. 1. E. 6. 10. The Statute of 6. H. 3. 4. shall be observed

in *wales* and in the County and City of *Chester*, as well as in other parts of the Realm of *England*.

XII. The Sheriffs in *wales*, and of *Cheshire* and *Chester* shall have Deputies in the Kings Bench and Common Place, as other Sheriffs have, and upon like penalties.

XIII. All processess against any outlawed person in *wales* shall be directed to the Sheriffes in *wales* as immediate officers to the Kings Bench and Common Place, and may be delivered of Record to their said Deputies in Court, and shall be duely executed and returned by those Sheriffs upon the pain above limited; who shall also for a false or non-return forfeit 5 *l.* to be divided betwixt the King and the prosecutor.

XIV. This Act shall not infringe any franchises and liberties in *wales*, otherwise then by the true meaning thereof is provided: Nor yet of any Lord Marcher there, but that they and their heirs may enjoy the same liberties, as before.

XV. Stat. 5. & 6. E. 6. 26. The like Statute is made for the County Palatine of *Lancaster*: save onely, that all processess against any outlawed person there, shall be first directed to the Chancellor of that Duchy, who shall thereupon make like writs and processess to be sealed with that seal, and directed to the Sheriffe of that County Palatine, as heretofore hath been used.

XVI. Stat. 31. El. 3. In every action personal where an *exigent* shall be awarded, a writ of Proclamation shall be also awarded, and issue out of the same Court, of the same *Teste*, and return with the *exigent*, and shall be delivered of Record and directed to the Sheriffe of the County, where the defendant at the time of the *exigent* was dwelling, and shall contain the effect of the same Action.

XVII. The Sheriff shall thereupon make three Proclamations, viz. one in a full County, another at the Sessions, and the last (one moneth at least before *Quinto exact*. by vertue of the said *exigent*) at or neer the Church or Chappel-door of the Parish where the defendant was dwelling at the time of awarding the same *exigent*, upon a Sunday after Divine service and Sermon, or (in case there be no Sermon) after Divine Service; And if he dwell in no Parish, then in the Parish next adjoyning his place of abode; and all outlawries otherwise had shall be void.

XVIII. The Officer for making the *exigent* and Proclamations, may take such fees for the same, as are limited by the Statute of 6. H. 8. 4. and the Sheriff for making the Proclamation at the Church-door shall have 12 *d.*

XIX. In real actions after summons upon the land (14 dayes at least before the return thereof) Proclamation of the summons shall be made upon a Sunday in form aforesaid in the Parish wheres the land lies, which Proclamation shall be returned with the name of the summoners.

XX. If the summons be not so proclaimed, no *Grand cape* shall be awarded, but an *Alias* and *Pluries* summons, until a summons and Proclamation be duely made according to this Act.

XXI. Before allowance of a writ of error or reverling of an Outlawry by plea or otherwise, the defendant in the original action shall put in bail, to appear and answer the plaintiffe, and also to satisfie the condemnation, if the plaintiffe begin his suit before the end of two terms next after the allowance of the said writ, or avoiding the Outlawry.

Extortion.

I. *West.* 1. 26. 3. E. 1. No Sheriffe or other Officer of the King shall take any reward to do his Office, but shall be paid by the King; And if any do so, he shall render the double, and be punished at the Kings will.

II. *West.* 1. 27. 3. E. 1. Clerks shall not commit extortion, in pain to lose the service of their Master for one year.

III. *West.* 1. 29. 3. E. 1. Officers, Criers of fee, and Marshals of Justices in Eyre shall not commit extortion, in pain to render the treble, and to be otherwise punished at the Kings will.

IV. *Stat.* 28. H. 6. 5. Merchants being distrained or arrested by Officers of the Custome for undue charges and Impositions, may have their general actions of trespassse against such offenders, and shall in that case recover 40 l. damages, if they pursue their actions within two moneths.

V. If they pursue them not within that time, any other may do it by action of trespasss also, wherein they shall also recover 40 l. damages, to be divided betwixt the King and such prosecutor.

Fairs and Markets.

I. **T**he Statute of *Winchester*, cap. 6. 13. E. 1. Fairs or Markets shall not be kept in Churchyards.

II. Stat. 2. E. 3. 15. No person shall keep a Fair longer then he ought to do, in pain to have it seized into the Kings hand, untill he hath made fine for so doing.

III. Every Lord at the beginning of his Fair shall cry and publish how long it shall indure, in paine to be grievously punished.

IV. Stat. 5. E. 3. 5. Merchants after the Fair ended shall close their shops, and sell no ware then after, in paine to forfeit to the King the double value of the ware so sold, whereof the prosecutor shall have a fourth part.

V. Stat. 17. H. 6. 5. Fairs and Markets shall not be kept upon *Ascension day*, *Corpus Christi*, *Whitsunday*, *Trinity-Sunday*, the *Assumption of the Virgin Mary*, *All Saints*, *Good Friday*, nor any Sundayes (the four Sundayes in Harvest onely excepted) in pain to forfeit the wares so shewed to the Lord of the Franchise there.

VI. Howbeit, they may be kept within three dayes next before or after the said days, Proclamation thereof being made beforehand, which is to be certified without fine or fee to the King. And such as have by special grant sufficient dayes before or after the said Feast, may keep them their full number.

VII. Stat. 17. E. 4. 2. No Steward of a Pipowders Court shall hold plea upon any Action, unless the plaintiff or his Attourney in the presence of the defendant, do first swear, that the matter of the Declaration was done within the Jurisdiction and time of the Fair. And yet the defendant may nevertheless profer an issue against such oath; And if it be tried, or the Plaintiff or his Attourney refuse to swear, the defendant shall be discharged.

VIII. If any such Steward do contrary to this Act, he shall forfeit five pounds, to be divided betwixt the King and the prosecutor.

IX. This Act shall not prejudice the libertiers of the Bishop of *Durresme*.

X. Stat. 1. R. 3. 6. The Statute of 17. E. 4. 2. is made perpetual.

XI. Stat. 3. H. 7. 9. Upon an Odrinance made by the City of *London*

London to prohibit Citizens to carry their wares, Fairs and Markets out of the City, this Act gives them liberty, and makes that Ordinance void, and none shall trouble any Citizen for so doing, in pain of 40 l. to be divided betwixt the King and the prosecutor.

XII. Stat. 2.3.P. M.7. Every owner of a Fair or Market shall appoint a Toll-taker (where Toll is taken) or a Book-keeper where no toll is paid) to sit there from ten of the clock in the forenoon till Sun-set, in pain of 40 s. for every default.

XIII. The Toll-taker or Book-keeper shall (within one day after) deliver unto the said owner a note of all the Horses sold there that day, in pain of 40 s. which note the owner shall subscribe, in like pain of 40 s.

XIV. Sale of a stolen Horse in a Fair or Market without entry in the Book, as aforesaid, and without staying there in open view by the space of an hour, at least, betwixt 10 of the clock and Sun-set, shall not alter the property of the right owner; but that he may by virtue of this Act, seize or replevie him, wheresoever he findes him.

XV. Justices of Peace in Sessions have power to hear and determine the breach of this Statute, and the forfeitures shall be divided betwixt the King and Queens Majesties and the prosecutor.

XVI. where no toll is due, the Book-keepers fee for entring every contract is 1 d. and no more.

XVII. Stat. 31.El.12. Every seller or exchanger of an horse in a Fair or Market, which being unknown to the Toll-taker or Book-keeper, doth not procure one credible person, that is well known unto him, to vouch the sale of the same horse; also every false voucher, and the Toll-taker or Book-keeper that suffers such sale or exchange to passe shall forfeit 5 l. to be divided betwixt the Queen and the prosecutor. And besides, the sale of such horse shall be void.

XVIII. The names of the buyer, seller, and voucher, and the price of the horse shall be entred in the Toll-book, and a note thereof delivered to the buyer under the Toll-takers or Book-keepers hand, for which the buyer shall pay, 2 d.

XIX. Justices of Peace in Sessions have power to hear and determine these offences.

XX. Nowithstanding such sale and voucher, as aforesaid, the right owner or his excutors may redeem a stolen horse, if they claim his within six moneths after the Stealing at the Parish or

Corporation where he shall finde him, and make proof by two sufficient witnesses before the next Justice of Peace in the Countrey, or before the Head-officer of a Corporation, that the horse was his, and re-pay to the buyer such price for the horse, as the same buyer shall upon his own oath, before such Justice or Officer, testifie to have paid for him.

XXI. An accessory of an horse-stealer shall not have his Clergie.

False Judgement.

I. Marbidge, 20.52.H.3. None but the King shall hold plea of false judgement.

II. Stat. 1.E.3.4. If against a Record brought into the Kings Court by writ of false judgement, the party alledgeth that the Record is otherwise then the Court did record the same, it shall be tried by those of the Countrey who were present when the Record was made, but if they appear not upon the Sheriffs return of them with others, it may be tried by other good men of the Countrey.

Fees.

I. West. 2.42.13.E.1. Several ancient fees of Marshals, Chamberlains, Porters of Justices in Eyre, and Serjeants bearing vjerge before the Justices at Westminster. See the Statute.

II. West. 2.44.13.E.1. Porters bearing vjerge before the Justices of the Bench in the Circuit shall take for keeping a Jury only 10 d. for the Bills nothing: Upon a recovery without Jury nothing, upon a recovery against many by one writ 4 d. for homage done in the Bench they shall have their upper garment. Of great Assizes, Attaints, Juries, and Battel waged, the fee is 12 d. For the pleas of the Crown, the fee is 12 d. the dozen. For every prisoner delivered 4 d. The Chirographers fee is 4 s. The Clerks fee for writing Originals is for every writ 1 d. See the Statute.

Feofments.

I. Stat. 1.R.2.9. Every gift or feofment of Lands made by fraud or maintenance shall be void; And the disseisee (notwithstanding such alienation) shall recover against the first disseisor both his land and double damages; provided he commence his suit within a year after the disseisin, and that such feofor be then Pernor of the profits

II. Stat.

II. Stat. 4. H. 4. 7. The disseisor shall have his action against the first disseisor, during the life of the same disseisor, so as such disseisor be also pernor of the profits at the time of such suit commenced: but, as to other writs in plea of Land, the Demandant shall commence his suit within the year against him, that is tenant of the freehold, at the time of the action accrued to him, so as such tenant be also pernor of the profits at the time of such suit commenced; notwithstanding the Statute of 1. R. 2. 9.

III. Stat. 11. H. 6. 3. In all writs grounde d upon *Novel disseisin*, Disseisees may have recoveries against the disseisors of their feoffees, as well as in Assize of *Novel disseisin*, so as such disseisors or their feoffees, against whom the writ is brought, be pernors of the profits at the time of the writ purchased, notwithstanding any gifts or feoffments made to other persons to delay the demandants.

Felonie.

I. Stat. 1. 12. 3. E. 1. Notorious felons, which refuse lawfull trial, shall suffer strong and hard Imprisonment.

II. Stat. of Breaking Prison, 1. E. 2. it shall be felony for any person to breake prison, being in for felonie, otherwise not.

III. Stat. 5. H. 4. 4. It is felonie to multiply gold or silver.

IV. Stat. 5. H. 4. 5. It is felonie maliciously to cut out the tongue, or put out the eyes of any of the Kings subjects.

V. Stat. 1. H. 7. 7. If any shall hunt within Forests, Parkes, or Warrens in the night-time or disguised, one of the Kings Council or a Justice of Peace to whom information thereof shall be made, shall by his warrant cause the offender to be brought before himself, or some other Counsellour or Justice of Peace to be examined, where if he conceale the fact, such hunting shall be deemed felony; but being confessed the offence is onely finable at the next general Sessions. And here a rescuous of the execution of any such warrant shall be also deemed felonie.

VI. Stat. 3. H. 7. 2. It is felony to carry away a woman, wife, widow, or maid against her will, having Lands or goods, or being heire apparent to her Ancestor: And the procurers, abettors and receivers in such an offence shall be also deemed principal felons; Howbeit this shall not extend to any that takes a woman, claiming her as his ward or bond-woman.

VII. Stat. 3. H. 7. 14. It is felony for any of the Kings servants sworn to conspire the destroing of the King, any Lord, privy Counsellor sworn, Steward, Treasurer, or Controller of the Kings

Corporation where he shall finde him, and make proof by two sufficient witnesses before the next Justice of Peace in the Countrey, or before the Head-officer of a Corporation, that the horse was his, and re-pay to the buyer such price for the horse, as the same buyer shall upon his own oath, before such Justice or Officer, testifie to have paid for him.

XXI. An accessory of an horse-stealer shall not have his Clergie.

False Judgement.

I. *Marbridge, 30.52.H.3.* None but the King shall hold plea of false judgement.

II. *Stat. 1.E.3.4.* If against a Record brought into the Kings Court by writ of false judgement, the party alledgeth that the Record is otherwise then the Court did record the same, it shall be tried by those of the Countrey who were present when the Record was made, but if they appear not upon the Sheriffs return of them with others, it may be tried by other good men of the Countrey.

Fees.

I. *Stat. 2.42.13.E.1.* Several ancient fees of Marshalls, Chamberlains, Porters of Justices in Eyre, and Serjeants bearing vjerge before the Justices at *westminster*. See the Statute.

II. *Stat. 2.4.4.13.E.1.* Porters bearing vjerge before the Justices of the Bench in the Circuit shall take for keeping a Jury only 10 d. for the Bills nothing; Upon a recovery without Jury nothing; upon a recovery against many by one writ 4 d. for homage done in the Bench they shall have their upper garment. Of great Assizes, Attaints, Juries, and Battel waged, the fee is 12 d. For the pleas of the Crown, the fee is 12 d. the dozen. For every prisoner delivered 4 d. The Chirographers fee is 4 s. The Clerks fee for writing Originals is for every writ 1 d. See the Statute.

Feoffments.

I. *Stat. 1.R.2.9.* Every gift or feoffment of Lands made by fraud or maintenance shall be void; And the disseisee (notwithstanding such alienation) shall recover against the first disseisor both his land and double damages; provided he commence his suit within a year after the disseisin, and that such feoffor be then Pernor of the profits

II. *Stat.*

II. Stat. 4. H. 4. 7. The disseisor shall have his action against the first disseisor, during the life of the same disseisor, so as such disseisor be also pernor of the profits at the time of such suit commenced: but as to other writs in plea of Land, the Demandant shall commence his suit within the year against him, that is tenant of the freehold, at the time of the action accrued to him, so as such tenant be also pernor of the profits at the time of such suit commenced; notwithstanding the Statute of 1. R. 2. 9.

III. Stat. 11. H. 6. 3. In all writs grounde d upon *Novel disseisin*, Disseisees may have recoveries against the disseisors of their feoffees, as well as in Assize of *Novel disseisin*, so as such disseisors or their feoffees, against whom the writ is brought, be pernors of the profits at the time of the writ purchased, notwithstanding any gifts or feoffments made to other persons to delay the demandants.

Felonie.

I. Stat. 1. 12. 3. E. 1. Notorious felons, which refuse lawfull triall, shall suffer strong and hard Imprisonment.

II. Stat. of Breaking Prison. 1. E. 2. it shall be felony for any person to breake prison, being in for felonie, otherwise not.

III. Stat. 5. H. 4. 4. It is felonie to multiply gold or silver.

IV. Stat. 5. H. 4. 5. It is felonie maliciously to cut out the tongue, or put out the eyes of any of the Kings subjects.

V. Stat 1. H. 7. 7. If any shall hunt within Forests, Parkes, or Warrens in the night-time or disguised, one of the Kings Council or a Justice of Peace to whom information thereof shall be made, shall by his warrant cause the offender to be brought before himself, or some other Counsellour or Justice of Peace to be examined, where if he conceale the fact, such hunting shall be deemed felony; but being confessed the offence is onely finable at the next general Sessions. And here a rescuous of the execution of any such warrant shall be also deemed felonie.

VI. Stat. 3. H. 7. 2. It is felony to carry away a woman, wife, widow, or maid against her will, having Lands or goods, or being heire apparent to her Ancestor: And the procurors, abettors and receivers in such an offence shall be also deemed principal felons; Howbeit this shall not extend to any that takes a woman, claiming her as his ward or bond-woman.

VII. Stat. 3. H. 7. 14. It is felony for any of the Kings servants sworn to conspire the destroying of the King, any Lord, privy Counsellor sworn, Steward, Treasurer, or Controller of the Kings house.

household, being thereof convicted by 12 of the said household before the said Steward, Treasurer, and Controller, or two of them, who have power to determine the matter, according to law:

VIII. Stat. 21. H. 8. 7. Servants that go away with or otherwise embezel their master or mistresses goods to the value of 40 s. worth, with an intent to steal them (being put in trust therewith) shall be punished as felons: To continue till the next Parliament, *But see the Statute.*

IX. Stat. 22. H. 8. 11. It shall be felony to break down Powdike in Marshland in Norfolk, or Oldfield Dike by Marshland in the Isle of Ely.

X. Justices of Peace there have power to hear and determine the said offence.

XI. Stat. 25. H. 8. 6. Buggery is made felony, and the offender therein shall not have his Clergie.

XII. Justices of Peace have power to inquire off, heare, and determine this offence.

XIII. This Statute was but to continue until the next Parliament, *vide infra.*

XIV. Stat. 1. E. 6. 12. Willful killing by poisoning shall be adjudged Murder, and their Aiders, Abettors, Procurers, and Counsellours shall suffer death and forfeit, as in cases of wilful murder.

XV. All offences made felony by Statute since 23 April, 1. H. 8. not being felony before, are repealed: *Howbeit divers of them are revived by other Statutes made since that time.*

XVI. Stat. 1. M. Sess. 1. All offences made felony, or within the case of *Premunire* by any Act since the first day of 1. H. 8. (not being felony, nor within the case of *Premunire* before) and every branch of such Acts concerning the making of any offence felony, or within the case of *Premunire*, (not being so before) and all pains and forfeitures concerning the same are repealed and make void: *But diverse of those Acts have been since revived, which see in their proper places.*

XIV. Stat. 5. El. 10. The Statute of 21. H. 8. 7. is revived and made perpetual.

XVIII. Stat. 5. El. 17. The Statute of 21. H. 8. 6. is revived and made perpetual.

XIX. Stat. 43. El. 13. In the Counties of *Cumberland*, *Northumberland*, *Westmerland*, and the Bishoprick of *Duresme*, the carrying away or detaining of any person against his or her will, the assenting or aiding to any such taking or detaining, the receiving or carrying of *Black-Mail*, the giving of *Black-Mail* for protection of the

the burning of Barns or Stacks of Grain, shall be adjudged felony without Clergie, which the Justices of Assize, Gaol-delivery and Peace, have power to hear and determine.

XX. The names of persons outlawed there for felonie, shall be delivered by the Clerks of the Peace, to all Sheriffs, Majors, and other head-officers, to be proclaimed throughout all the said Counties: And with them none shall have converse, in pain to suffer six moneths imprisonment, and not to be enlarged, till surety be given for the good behaviour, during one whole year after such imprisonment.

XXI. Justices of Assize, Gaol-delivery, Oyer and Terminer, and of Peace, have power to punish the negligence of Officers in this behalf.

XXII. This Act shall not impeach the authority of the Lord Wardens of the Marches.

XXIII. Stat. 21. Jac. 26. It is felony without benefit of Clergie, to acknowledge or procure to be acknowledged, any Fine, Recovery, Deed enrolled, Statute, Recognizance, Bail, or Judgement in the name of any person not privy or consenting thereunto: Howbeit this offence shall not corrupt the blood, or take away dower: Neither shall it extend to judgement acknowledged by an Attourney of Record for another person.

Fesants and Partridges.

I. Stat. 11. H. 7. 17. None shall take Fesants or Partridges with engines in anothers ground without licence, in pain of ten pounds to be divided betwixt the Owner of the ground and the prosecutor.

II. None shall take out of the nest any eggs of Faulcon, Goshawk, Lanner or Swan, in pain of a year and a dayes imprisonment, and to incur a fine at the Kings pleasure, to be divided betwixt the King and the owner of the ground, where the eggs shall be so taken.

III. None shall bear any Hawke of English breed called an Eyess, Goshawk, Tassel, Lanner, Lanneret, or Falcon, in pain to forfeit the same to the King.

IV. He that brings an Eyess Hawk from beyond the Sea, shall have a Certificate under the Customers Seal where he lands, or if out of Scotland, then under the Seal of the Lord Warden or his Lieutenant, testifying that she is a forreign Hawk, upon the like pain of forfeiting the Hawk.

V. None

V. None shall take, kill, or fear away any of the hawks above said from their Coverts, where they use to breed, in pain of 10*l.* to be recovered before Justices of P. and divided betwixt the King and the Prosecutor.

V I. Stat. 23. El. 10. None shall kill or take any Fesants or Partridges with any net or Engine in the night-time, in pain to forfeit for every Fesant 20*s.* and for every Partidge 10*s.* which if the offender pay not within ten days, he shall suffer one moneths imprisonment without bail, and enter into Bond (for two yeares only) with good sureties before some Justices of Peace not to offend in the like kinde.

V II. The forfeiture aforesaid shall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Manor, where the offence is committed, and the Prosecutor; but in case the Lord shall dispence with the offender, the Poore of the Parish are to have his moiety to be recovered by any of the Churchwardens.

V III. None shall hawk or hunt with his Spaniels in standing gain, or before it is stocked (except in his own ground or with the owners consent) in pain to forfeit 40*s.* to the owner of the said ground to be recovered, as aforesaid.

I X. Justices of Assize, Justices of peace in Sessions, and (afterwards) Srewards in Leets have power to hear and determine these offences, and one Justice of Peace may examine such an offender, and binde him over with good sureties to answer it at the next general Sessions, if the offence be not before determined at the Assizes or in a Leet.

X. This Act shall not restrain Fowlers, which unwillingly take Fesants or Partridges, and forthwith let them go at large.

X I. Stat. 1. 74. 27. Every person convicted by his own confession, or by two witnesses upon oath, before two or more Justices of Peace to have killed or taken any Fesant, Partridge, Pigeon, Duck, Heron, Hare, or other game, or to have taken or destroyed the eggs of Fesants, Partridges, or Swans, shall by the said Justices be committed to prison without bail, unlesse he immediately pay to the use of the poor, where the offence was committed, or he apprehended 20*s.* for every Fowl, Hare, or egg so killed, taken or destroyed; and after one moneths Commitment shall before two or more Justices of Peace be bound with two sufficient sureties in 20*l.* a piece, with condition never to offend in the like kinde again.

X II. Every person convicted, as above said, to keep a Greyhound,

hound, Dog, or net to kill or take Deer, Hare, Fesant, or Partridge, (unlesse he have inheritance of 10 *l. per annum*, a lease for life of 30 *l. per annum*, or be worth 200 *l.* in goods or otherwise be the son of a Baron or Knight, or heir apparent of an Esquire) shall suffer Imprisonment, as aforesaid, unless he pay 40 *s.* to the use above-said.

XIII. None shall sell or buy to sell again any Deer, Hare, Fesant or Partridge, (except Fesants or Partidges by them reared up or brought from beyond Sea) in pain to forfeit for every Deer 40 *s.* Hare 10 *s.* Fesant 20 *s.* and Partridge 10 *s.* to be divided betwixt the prosecutor and the Poor of the Parish where the offence is committed.

XIV. Justices of Assize, Justices of Peace in Sessions, and two or more Justices of Peace out of Sess. have power to heare and determine these offences.

XV. None shall by any former Law suffer punishment for the same offence, for which he shall be punished by this Law.

XVI. this Act shall not restrain one licenced in open Sessions to kill Hawks meat; but then he shall there become bound by recognisance in 20 *l.* not to kill any of the games prohibited by this law, nor to shoot within 600 paces of an Hearnery, within 100 paces of a Pigeon-house, or in a Park, Forrest, or Chase; whereof his master is not owner, or keeper: And the Clerk of the Peace his fee for such a licence is 12 *d.*

XVII. Stat. 7. Ja. 1. Every person convicted by his own confession, or by two witnesses upon oath before two or more Justices of Peace to have hawked at or destroyed any Fesant or Partridge betwixt the first of July and the last of August, shall suffer one moneths imprisonment without bail; unlesse he forthwith pay to the use of the poor, where the offence was committed, or be apprehended, 40 *s.* for every time so hawking, and 20 *s.* for every Fesant or Partridge so destroyed or taken.

XVIII. He that shall be punished by this law, shall not be punished again by any other Law for the same offence.

XIX. This offence shall be prosecuted within six moneths after it shall be committed.

XX. It shall be lawful for the Lord of a Manner, or any having free Warren, Inheritance of 40 *l. Per annum*; free-hold of 80 *l. per annum*, or goods worth 400 *l.* or their servants (licenced by them) to take Fesants or Partridges within their own grounds or Precinct, so they do it in the day-time, and onely betwixt Michaelmas and Christmas.

XXI.

XXI. If any of a mean condition shall be convicted by his own confession, or by one witness upon oath before two or more Justices of Peace to have kill'd or taken any Feasant or Partridge, with dogs, nets, or engines, he shall by the said Justices be committed to prison without bail, unless he forthwith pay to the use of the poor, where the offence was committed, 20 s. for every Fasant or Partridge so killed or taken: And also become bound before one or more Just. of Peace in a recognizance of 20 l. never to offend in the like kind again.

XXII. Every Constable or Headborough (upon warrant under the hands of two or more Justices of Peace) hath power to search the houses of persons suspected to have any setting dogs or nets for the taking of Fesants or Partridges; and the dogs or nets there found to kill and cut in pieces, at pleasure, as things forfeited unto the said officers.

Fighting and Quarrelling.

I. Stat. 5. 8. E. 6. 4. None shall use any chiding words in the Church or Church-yard, in pain of suspension for so long time, as the Ordinary shall think fit, viz. of a Lay-man *ab ingressu Ecclesie*, and of a Clerk, & *Ministerio Officii*.

II. He that shall there smite, or lay violent hands upon any other, is thereby excommunicate *ipso facto*.

III. He that is convicted of striking with a weapon there (or of drawing it with an intent to strike) before Just. of Assize, of Oyer and Terminer, or of Peace, in Seff. by verdict, his own confession, or two lawful witnesses, shall by judgement of the said Justices have one of his ears cut off, and in case he want ears, shall be burned upon the cheek with the letter F. and shall stand excommunicate *ipso facto*.

Fines.

I. Stat. de finibus. 18. E. 1. Stat. 4. After the writ original is delivered in the presence of the parties before the Justices, the pleader shall say, Sir Justice, *Conge de accorder*: Then the Justice shall say, What saith Sir R? And when the Kings fine is agreed for, and the peace cried, the Pleader shall declare the substance of the fine.

II. A final concord cannot be levied in the Kings Court without writ original before four Justices in the Bench, or in Eyre, and a

must also be in the presence of the parties, who ought to be of full age, of good memory, and out of prison; And if a Feme covert be one, she must be examined by four of the said Justices, and if she consent not, the fine cannot be levied.

III. The reason of such solemnity in the taking of a fine is, because it bars all persons, of full age, out of prison, of good memory, and within the four Seas, the day of the fine levied, if they make not their claim of their action within a year and a day by the Countrey.

IV. Stat. *De finibus levatis*, 27.E.1.Stat.1. It shall be no good exception to a fine, that before or at the time of the fine levied, the demandant or his ancestors were seized of the Land contained in the fine, or of some part thereof.

V. Fines shall be openly read at two certain dayes in the week by the discretion of the Justices, and in the mean time all Pleas shall cease.

VI. The Statute of Carlile, 15.E.2. In Pleas of *Warrantia Chartae*, covenant, or other, whereupon fines are to be levied before the Justices of the Bench, as well the demandants as tenants (before such fines pass) shall appear personally, to the end their age, Idiocy, and other defects (if any be) may be discerned.

VII. If the party be not able to come before the Justices in Court, then two or one of them (by the assent of the rest) shall go to the party, and receive his Cognizance: And if but one go, he shall take with him an Abbot, Prior, or Knight, being of good fame and credit.

VIII. The Commissioners that take the Cognizance, shall make certificate thereof to the Justices, to the end the fine may be lawfully levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Justices shall admit any Attourneys, save onely in Pleas, that passe before them, neither shall any of their Clerks or servants sodo, and every admission otherwise shall be void.

X. The authority of the Chancellor and of the chief Justices for admitting Attourneys (as hath been heretofore observed) is saved.

XI. Stat. 3.E.34.16. The Plea of *Non-claim* of fines shall be no bar hereafter.

XII. Stat. 38.E.3. Stat. 1.3. Fines taken before the Justices shall be in the presence of the pledges, who shall know the sum of their fine, before they depart.

XIII. Stat. 5.H.4.14. To prevent the damage that may happen by the embesiling of the feet and notes of fines, all writs of Covenant, and other writs whereupon fines are levied, together with the

the *Dedimus Potestatem*, (if any be) and all knowledges and notes of the same, before they be drawn out of the Common Bench by the *Chirographer*, shall be recorded in a Roll, to remain with the chief Clerk of that Court for the old fee of 22 pence usually paid to him for entring the Concord; to the end that (in case any notes or fines be embeziled) the party may have recourse to the said Roll, to have execution thereof.

XIV. Stat. 1.R.3.7. A fine shall (after the engrossing thereof) be openly read and proclaimed in the Common Pleas, the same term, and the three next terms after upon four several days, and in the mean time all Pleas shall cease.

XV. A transcript of the fine shall be sent to the Justices of Assize of the County where the Land lieth, to be there also proclaimed at every Assize holden there that year, and then also all Pleas shall cease.

XVI. Another transcript thereof shall be also sent to the Justices of Peace of the same County, to be in like sort proclaimed at their four Sessions holden that yeare : And both the Justices of Assize and Peace shall make certificate of such Proclamation made, the second return of the term then next following :

XVII. A fine so proclaimed and certified shall conclude all persons, both Privies and Strangers (except women covert (other then such women as be parties to the fine) persons under age, in prison, out of the Realm, or not of sound minde,) if they pursue not their right, title, claim, or interest by way of action or lawful entry within five yeares after the proclamation so made and certified, as aforesaid.

XVIII. The right of Strangers, which happens to come unto them after the fine is engrossed, is saved ; so that they lawfully pursue their right or title within five yeares after it so comes to them, And heres, an Action against the pernor of the profits is maintainable.

XIX. If the parties, to whom such right or title comes, be covert, under Age, in prison, out of the Land, or not of sane memorie, they or their heirs have time to pursue their right or title within five yeares after such imperfections removed ; so also have they in case they had right or title at the time of the fine levied.

XX. Fines at the Common Law have the same force they had before ; and a fine may be levied according to this Statute ; or the Common Law, at the election of the parties.

XXI. Stat. 4.H.7.24. Every fine after the ingrossing shall be proclaimed in the Court the same term and the three next, four several days in every Term, and in the mean time all Pleas shall cease.

XXII.

XXII. The Proclamations being so made, the fine shall conclude all persons both privies and strangers, except women covert, persons under age, in prison, out of the Realme, or of non sane memory, being not parties to the fine.

XXIII. The right and interest, that any person or persons (other then parties) hath or have at the time of the fine ingrossed, is saved, so that they or their heirs pursue such their right or interest by action or lawful entry within five years after the Proclamations so made: so also is the right and interest saved, which accrues after the ingrossing of the fine, so that the parties having the same pursue it within five yeares after it so accrues, and in this case the Action may be brought against the pignor of the profits.

XXIV. If at the time of the fine engrossed, or of such accruer, as aforesaid, the persons be covert (and no parties to the fine) under age, in prison, out of the Realm, or of non sane memory, they or their heirs have time to pursue their Actions within five yeares after such imperfections removed.

XXV. The exception, that none of the parties nor any to their use had any thing in the Lands at the time of the fine levied, is saved to all persons, except parties and privies.

XXVI. Fines at the Common Law have the same force they had before the making of this Act: And a fine may be levied this way, or at the Common Law, at the pleasure of the parties.

XXVII. Stat. 32. H. 8. 36. All fines levied by any person or persons of full age of lands intailed before the same fine, to themselves, or to any of their ancestors, in possession, everfion, remainder or use, shall immediately after the fine ingrossed and proclamations made be a sufficient bar against them and their heirs, claiming onely by such entail, and against all others claiming onely to their use, or to the use of any heir of their bodies.

XXVIII. Howbeit this Act shall not bar the interest of any persons accrued by reason of any fine levied by a woman, after her husbands death, contrary to the Statute of 11. H. 7. 20.

XXIX. A fine levied by him, who is restrained by any expresse Act of Parliament so to do, shall be void, notwithstanding this Act.

XXX. This Act shall not extend to any fine heretofore levied of Lands now in suit, or heretofore lawfully recovered in any Court by judgement, or otherwise: Nor to any fine of Lands intailed by the Kings Letters Pattents or any Act of Parliament, the Reversion thereof at the time of such fine levied being in the King.

XXXI. Stat. 37. H. 8. 19. Fines levied before the Justices of Assize

five at *Lancaster*, or one of them, and openly read and proclaimed at three several Sessions before the said Justices, or one of them of lands lying within that County Palatine, viz. upon three severall dayes in the Sessions when the fine is engrossed, and three other severall dayes in each of the two Sessions then next following, shall be of like force as fines acknowledged before the Justices of the Common Place.

XXXII. Stat. 2. 3. E. 6. 28. This Statute ordains all fines of lands within the County Palatine of *Chester* to be of like force with those of the Common Place, being proclaimed before the high Justice there or his Deputy, in like sort as those of *Lancaster* are proclaimed.

XXXIII. Stat. 1. M. Parl. 1. 7. All fines, whereupon Proclamations are not duly made (by reason of the adjournment of any term by writ) shall be good as if that term had been holden from the beginning to the end; and Proclamations therein made, according to the Statute of 4. H. 7. 24.

XXXIV. This Act shall not extend to any fine heretofore levied of lands now in suit, or heretofore lawfully recovered by judgement, or otherwise.

XXXV. Stat. 35. El. 2. Fines in the Common Pleas shall be proclaimed four times onely; viz. once in the Term wherein the fine is ingrossed, and once in each of the three Terms then next following.

Fines to the King:

I. Magna carta, 16. 9. H. 3. Nothing shall be given for a writ of Inquisition, nor taken of him that prayeth Inquisition of life or member; but it shall be granted freely and not denied.

First-fruits and Tenths.

I. Stat. 26. H. 8. 3. The first-fruits and profits for one year of every spiritual living is granted to the King, which every spiritual person shall pay or secure by Bond before his actual possession of his Benefice.

II. Search for the value of Benefices and composition for the first-fruits thereof shall be made by the Lord Chancellor, Master of the Rolls, and other Commissioners to be appointed by the King for that purpose, and the money and securities taken upon such Compositions, made before the Chancellor and Master of the Rolls onely,

only, shall be paid and delivered unto the Clerk of the Hanaper, for which he shall render accompt, as he useth to do for other profits of the Great Seal, but being made before other Commissioners shall be paid and delivered unto the Treasurer of the Kings Chamber, or such other person or persons, as the King shall authorize under the Great Seal for that purpose to receive the same.

III. Acquittances for the receipt of any money paid for first-fruits under the hands of the Clerke of the Hanaper, Treasurer of the Kings Chamber, and the Commissioners, or any of them shall be a sufficient discharge for the same in any of the Kings Courts.

IV. An obligation for first-fruits shall be of like force as a Statute-staple, and no more shall be taken for such an Obligation then 8d. and 4d. for an Acquittance.

V. The Commissioners shall every six moneths deliver by Indenture unto the Treasurer, or other person or persons authorized, as aforesaid, such money and specialties as they shall receive; and in case they do not, or do conceal them, they shall forfeit their office, and be fined at the Kings pleasure.

VI. If any be convicted by presentment, verdict, confession, or witness before the Lord Chancellor or other Commissioners to have entred upon any spiritual living before payment or composition made, as aforesaid, he shall forfeit the double value of the first fruits.

VII. All first-fruits heretofore payable to other persons shall be from henceforth paid to the King.

VIII. Provided, that Bishops may give Institution and induction, notwithstanding this Act.

IX. A rent or pension out of every spiritual living (amounting to the tenth part of the annual value thereof) shall be yearly paid unto the King at *Christmas*, and the Collector thereof shall pay them in yearly before the first of *April*.

X. The Lord Chancellor shall appoint Commissioners in every Diocese for the discovery of the yearly value of every spiritual living there, and to make certificate thereof, as also of such deductions as are to be made out of the same, which Commissioners shall be aforehand sworn by *Dedimus potestatem*, duly to execute their Commissions.

XI. Every spiritual person shall be charged for his tenths in the Diocese where he is, albeit their possessions lie elsewhere.

XII. Bishops shall be charged with the Collection of all the tenths within their respective Diocesses, and shall make payment thereof yearly before the first of *April* unto the Treasurer of the Kings

Kings Chamber, or other person authorized to receive the same, and upon non-payment thereof proceſſe ſhall iſſue out of the Exchequer againſt them.

X I I I. Biſhops ſhall have power to levie the Tenths by cenſures of the Church, diſtreſſe or otherwiſe; and no replevin, prohibition, *ſuperſedeas*, or other writ or impediment ſhall be allowed to hinder the ſame.

X I V. During the Vacation of a Biſhoprick the Dean and Chapter ſhall be charged therewith.

X V. If tenths (being due) ſhall not be paid within 40 dayes after demand thereof made by the Biſhop or his Officers, the Incumbent ſo making default (after certificate thereof into the Exchequer under the ſeal of the Biſhop) ſhall be adjudged deprived *ipſo facto* of all ſuch Benefices as he hath at the time of ſuch certificate made, or at any time after; and the Benefice or Benefices which he ſo hath ſhall be adjudged void, as if he were dead.

X V I. The Biſhop making ſuch certificate ſhall be diſcharged of ſo much as is certified to be unpaid, for the recovery whereof proceſſe ſhall iſſue out of the Exchequer againſt the Incumbent, his executors or administrators, or (rather then the King ſhould loſe it) againſt his ſucceſſor.

X V I I. The Acquittances of the Treasuſer of the Kings Chamber, or other Commiſſioners authorized to receive the tenths, and all ſuch certificates, as aforeſaid, ſhall be allowed in all Courts without further warrant.

X V I I I. No officer of the Exchequer ſhall take any thing of the Biſhop or his Collector, for his accompt or *Quietus eſt*, in pain to loſe his office, and to be fined at the Kings will.

X I X. They which pay penſions to others out of their ſpiritual livings may retain the tenth part thereof, and ſhall be therein protected by plea upon this Act.

X X. No penſion ſhall be reſerved upon the reſignation of a Benefice above the value of the third part thereof.

X X I. They, who in one Corporation aggregate of many, have ſeveral and diſtinct poſſeſſions, belonging to their reſpective dignities, ſhall onely pay for their own poſſeſſions, and not for thoſe of others.

X X I I. No firſt-fruits ſhall be paid for a Benefice being not above the yearly value of 8 marks, except the Incumbent live there years after his Induction or Collation thereunto, and there ſhall be an exception inſerted in the Obligation, that in caſe he live not out thoſe three years, the Obligation ſhall be void; but if he out-live

live them, the first-fruits shall be paid by him, his executors or administrators.

XXIII. Fees payable by any Bishop or other Prelate for temporal Justice shall be defalked out of the valuation of their several dignities.

XXIV. Stat. 26. H. 8. 17. Fermors of spiritual persons shall not be compelled to pay first-fruits or tithes for their lessors.

XXV. Stat. 27. H. 8. 8. Every spiritual person at his entry into specialty for the payment of his first-fruits shall have deduction of the tenth part thereof, in respect of the tenth which shall be by him payable that year.

XXVI. Where the last Incumbent leaves the tenth unpaid, the successor may distrein the said Incumbents goods found upon the Benefice, and keep them until the Incumbent (if living) or (if dead) his executors, administrators, or other owner of the said goods shall satisfy the arrears; which if not done, within twelve dayes, the goods may be appraised upon oath, and sold for the satisfying thereof together with reasonable costs, and in case there be no distresse, the successor may prosecute the Incumbent, (if living) or (if dead) his executors, administrators, or other owner of his goods by bill in Chancery, or Action of debt for the recovery of the same.

XXVII. Stat. 32. H. 8. 22. If a Bishop, or any of his Deputies will make oath, that they cannot levie a tenth, they shall be discharged thereof upon their account in the Exchequer, which Court shall also have power to examine the truth thereof by witnesses, or otherwise; and also to issue out Commissions, and to receive Certificates for that purpose.

XXVIII. If it be certified into the Exchequer by Commission or otherwise, that any spiritual promotion is omitted out of the original Certificate of tithes, which ought to have been there inserted; that Court shall have power to enter it into the said original record, to the end it may be from thenceforth chargeable thereon.

XXIX. Stat. 33. H. 8. 47. The Bishop of *Nottingham*, and his successors shall collect the tithes of all spiritual promotions within his Diocese notwithstanding the Statute of 27. H. 8. (not printed) which did exempt them from the collection thereof.

XXX. Stat. 34. & 35. H. 8. 17. The tithes and pensions reserved upon the patents of the five new Bishops of *Chester, Gloucester, Hereford, Bristol, and Oxford* shall be paid in the Court of first-fruits and tithes, and not elsewhere; But note, that Court was afterwards

removards annexed to the Exchequer by divers Acts of Parliament, and Patents of H. 8. and Queen Mary. See Courts.

XXXI. Stat. 2. & 3. E. 6. 20. The penalty for default of payment of tenths shall be the forfeiture of that onely Benefice, out of which the same is due, notwithstanding the Statute of 26. H. 8. 3.

XXXII. Stat. 7. E. 6. 4. The Collectors of Tenths shall before Midsummer next give good security to save the Bishop harmless against the King.

XXXIII. The Bishops shall have the last day of May for the payment in of tenths, and for making certificates of such as have refused to pay them, notwithstanding the Stat. of 26. H. 8. 3.

XXXIV. If a Benefice be void, so that no tenth can be there received, the Bishop (upon certificate) shall be discharged thereof; And then the King shall have it levied upon the Glebe by way of seisure.

XXXV. The Patent of a Collector of tenths shall be good no longer then during the continuance of the Grantor in the See.

XXXVI. Stat. 1. El. 4. The first-fruits and tenths restored to the Crown; The Statutes prescribing the grant and order of them re-continued; The Statute of 2. & 3. of P. & M. 4. (by which they were taken away) repealed: And they shall from henceforth be within the survey of the Court of Exchequer.

XXXVII. All Advowsons of Vicarages incident to any of the Queens Impropriations shall be resetled in her, notwithstanding any Act done by Cardinal Pool, or grant made by Queen Mary, saving unto all persons (except such unto whom such grants have been made) their right and interest into or out of such Impropriations.

XXXVIII. Pensions and all other yearly payments shall be paid, as before the Act of 2. & 3. P. & M.

XXXIX. All persons in arrear for those duties shall now be answerable for them to the Queen.

XL. Vicarages of 10 l. per annum, and Parsonages of 10 marks per annum, or under shall not be chargeable with first-fruits.

XLI. If an Incumbent continue in the Benefice half a year after the last avoidance, and die, or be legally outed before the end of the year, he, his executors, administrators or sureties shall only pay a 4th. part of the first-fruits: if he live out the year, and die or be outed within six moneths after the year, onely half the first-fruits shall be paid: And if he live out the year and half, and die or be outed within two years onely, the quarter thereof shall be paid.

XLII. Dis-

XLI. Discharge of first-fruits and tithes heretofore granted by any of the Queens predecessors to the Universities or the Colledges in them, or to those of *Eaton* and *Winchester* shall remain good, notwithstanding this Act. Also the Dean and Canons of *Windfor* shall be from henceforth discharged thereof.

XLI. All grants of Improprations belonging to the Archidiaconie of *Wells* shall remain good, notwithstanding this Act; yet the said Archidiaconry and all spiritual promotions assigned to it shall from henceforth pay first-fruits and tithes.

XLIV. All Improprations and other profits or emoluments Ecclesiastical, which were formerly within the Survey of the Dutchy Court of *Lancaster*, shall be re-continued, notwithstanding this Act, or that of the 2. & 3. P. & M.

XLV. The revenues of Hospitals and Schooles shall not be charged with the payment of first-fruits or tithes, notwithstanding this Act.

Fish, Fishers, and Fishing.

I. Stat. 2. 17. 3. E. 1. None shall take Salmon betwixt the 8 of September and the 1. of November, nor young Salmon with nets or other Engines at Mil-pools betwixt the midst of April and the 24 of June, in pain of having their nets and engines burnt for the first offence; for the second, to suffer a quarter of a years imprisonment; for the third, a years imprisonment, and after to have their punishment increased according to their trespass: And in places where fresh waters be, overseers of this Statute shall be assigned and sworn to inquire of the offenders.

II. Stat. 3. 1. E. 3. Stat. 2. 1. No Hering shall be bought or sold in the Sea, before the Fishers be come into the Haven, and the cable of the Ship be drawn to the land.

III. Stat. 3. 1. E. 3. Stat. 2. 2. The order and time of bringing in and selling of Herings at the Fair of Great *Tarmouth*, and there the price, of a last of Hering shall be 40 s.

IV. There shall be no fore-stalling of Hering, but they shall come freely unfold into the Haven.

V. No Riber shall buy any fresh Hering in *Tarmouth* Haven between the Feasts of *Saint Mich.* and *St. Martin*, in pain of imprisonment at the Kings will, and to forfeit the Hering so bought.

VI. No Piker of *London*, or of any other place shall enter into the Haven there to abate the Fair, in pain to forfeit the vessel, and all the goods thereof.

VII. The Hostlers there shall be sworne before the Wardens of

The Fair to treat their guests well, and shall have 40 d. for every last sold to others besides themselves, but for those sold to themselves they shall take nothing.

V I I I. An hundred of Hering shall be 120, and a last ten thousand.

I X. Merchants shall sell a thousand of Herings according to the rate of the last; and those of *Yarmouth*, shall sell a last of red hering bought for 40 s. for a Noble gain, and those of *London* for a Mark gain (when they bring them thither from *Yarmouth*,) and not above.

X. Two lasts of shotten Hering fresh shall be equal in price with one last of full hering, and two lasts of shotten hering red shall be sold a Mark dearer then a last of full red.

X I. The Pikers shall buy their fish at *Kirkeley*, or elsewhere upon the Coast, but not to unfurnish the said Fair; for the residue shall be brought to the Fair; and none shall sell hering within seven miles of *Yarmouth*, but within the three Towns thereof, unless it be hering of their owne fishing.

X I I. The Barons of the five Ports are to have the government of the Fair; and this ordinance for buying and selling of hering shall be observed in all other Towns where hering is taken and sold.

X I I I. Stat. 31. E. 3. Stat. 2. 3. The Chancellor and Treasurer taking to them Justices and others of the Kings Council shall ordain remedy touching the buying and selling of Stockfish of *St. Barts*, Salmon of *Barnish*, Wines, and Fish of *Bristute* and elsewhere.

X I V. Stat. 31. E. 3. Stat. 3. 1. Doggers and Land-ships of *Blackney Haven*, and the Coasts thereabouts shall discharge their fish in the same Haven, and not elsewhere, in pain of imprisonment at the Kings will, and to forfeit their fish; and it shall be sold on Ship-board.

X V. Stat. 31. E. 3. Stat. 3. 2. The ordering and prizing of Dogger fish and Loche fish at *Blackney Fair* in *Norfolk*.

X V I. None but Masters of Ships and Mariners that exercise Fishing, shall buy nets or hooks in *Norfolk* to fish withal.

X V I I. Stat. 35. E. 3. All persons may buy hering in the Fair time at great *Yarmouth* openly, and not privily.

X V I I I. No man shall enter into a bargain of hering untill the first chapman hath done with it.

X I X. A fisher may sell his hering at any time when he cometh with it.

X X. Stat.

XX. Stat. 13. R. 2. 19. No Fisher shall use any Engine, by which the Fry of Fish may be destroyed, upon the pains mentioned in the Statute of West. 2. 47.

XXI. Salmon in *Lancashire* shall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conservators shall be sworn to see this Statute observed and the offenders punished.

XXIII. Stat. 17. R. 2. 9. Justices of Peace shall be Conservators of the Statutes of West. 2. 47. and 13. R. 2. 19. and shall have power to search all wares, lest by their straightness the fry of fish might be destroyed.

XXIV. Justices of Peace have power to appoint and swear under-Conservators, to hear and determine in Sessions offences of this kinde, and to punish the offenders by imprisonment and fine, whereof the under-Conservator, which informes, is to have half.

XXV. The Major or Warden of *London* hath like power in *Thames*, from *Stains* to *London*, and in *Medway*, as far as the Citizens grant extends.

XXVI. Stat. 22. E. 4. 2. None shall sell or set to sale any Salmon by vessel before it be viewed, unless the Butt contain 84 Gallons, the Barrel 42 gallons, and the half barrel 21 gallons well packed, in pain to forfeit for every vessel 6 s. 8 d. And it shall not be sold or put to sail in any vessel, unless it be well packed, viz, the great Salmon by it self, without mingling any grills or broken-bellied Salmon therewith; and the small fish (called grills) shall be packed by themselves without such mingling, in pain to forfeit for every vessel otherwise packed and set to sale 6 s. 8 d.

XXVII. None shall set any hering to sale in vessel, unless the Barrel contain 32 gallons, and the half barrel and firkin accordingly; They shall also be well packed, of one times racking, and salting, and as good as well packed in the midst as at the ends, in pain to forfeit for every vessel wanting measure 3 s. 4 d. and as much for not being packed according to this Act.

XXVIII. None shall set to sale any Eels by vessel, unless the Barrel contain 42 gallons, and the other lesser measures accordingly; neither shall any mingle red, gall-beaten, starved, or pulled Eeles with good Eeles, but pack the good Eeles by themselves; nor put to sale any red Eeles at all, in pain to forfeit for every vessel wanting measure 10 s. and as much for every vessel mixed, packed, or set to sale contrary to this Act.

XXIX. None shall set to sale any barrellled fish, unless it be

well packed, viz. the great fish (called tale-fish, containing in length from the bone in the fin to the third joynt in the tail 26 inches) by themselves, and the lesser fish (called grilles) by themselves, without mixing thukes, or broken-bellied fish therewith; neither shall the said fish be laid double in the packing, nor the napes thereof longer than the little bone that resteth upon the great fin; And the bone shall be taken away to the navel of every such fish, which shall also be splatted within an handful of the tail, in pain to forfeit for every barrel of fish otherwise ordered 3 s. 4 d.

X X X. Head-officers of Corporations, Burroughs, Market-Towns, and other places shall appoint discreet persons to search and gauge vessels of fish for the prevention of the afore said deceits.

X X X I. The forfeitures of this Act shall be divided betwixt the King and the prosecutor. Howbeit, within a Franchise the Lord of the Liberty shall have the Kings part.

X X X I I. Stat. 11. H. 7. 23. The Statute of 22. E. 4. 2. is confirmed, and the Gauger, Searcher, and Packers fee appointed, viz. for Gauging every vessel of fish a farthing, for searching and packing (if need be) of a barrel of Salmon 1 d. for bolting, naping, and packing a barrel of fish (if need be) 1 d. for searching and packing a barrel of herring 2 d. and as much for Eels; and so ratably for lesser measures of Herring and Eels.

X X X I I I. The Gauger, searcher, or Packer shall take no more, and that onely when they execute their office, in pain to forfeit their office, and to suffer forty days imprisonment without bail.

X X X I V. Stat. 31. H. 8. 2. None shall fish in any pond, Stew, or Mote in the day-time, without the owners consent, in pain of three months imprisonment, and to finde sureties for the good behaviour. But this is altered by 5 E. 1. 21 Vide infra.

X X X V. Stat. 2. and 3. E. 6. 6. No Officer of the Admiralty shall take any thing of any person that goes to trade for fish into Islands, New-found-land, Ireland, or other places commodious for fishing, for any licence to passe, or otherwise in respect of such Voyage, in pain to forfeit for the first offence treble the sum or value of the reward so taken, to be divided betwixt the King and the party grieved, or other prosecutor; And for the second offence to lose his office, and to be fined at the Kings will.

X X X V I. Stat. 1. E. 1. 17. None shall use any net or Engine to destroy the spawn or frye of fish, or take Salmones or Trouts out of season or Pikes shorter then 10 inches, Salmones then 16, Trouts then

then 8; and Barbels then 12: or shall use any engine to rake fish other then angle or a net, or trammel of two inches and an halfe meshe, in pain to forfeit 20 s. the fish so wrongfully taken, and the net or engine wrongfully used.

XXXV II. All persons having jurisdiction of Conservancy upon streams or waters, and Lords of Leets have power upon the oaths of twelve men to hear, and determine these offences, and shall have all the forfeitures which accrue thereupon.

XXXV III. The Steward of a Leet shall give this Statute in charge to the Jury, in pain of 40 s. to be divided betwixt the Queen and the Informer.

XXXI X. Here if the Jury willfully forbear to present offences of this kinde, the Steward or Bailiffe shall impanel another jury to inquire of their default, which being found, the first Jury shall forfeit 20 s. apiece.

XL. Upon default of presentment in Leets within one year, Justices of Peace in Sessions, Justices of Oyer and Terminer, and Justices of Assize in Circuits have power to hear and determine the said offences.

XLI. This Act shall not restrain the taking of Smelts, Loches, Mineis, Bull-heads, Gudgions, or Eels with Nets or Engines, formerly used, so that no other fish be taken therewith; nor shall extend to abridge any former priviledge of Conservancy lawfully enjoyed; or fishing in Tweed, Usske, or Wyke, or in waters set to farme by the Queen, so that the spawn or frye of fish be not therein wilfully destroyed.

XLII. Stat. 5. El. 21. None shall unlawfully break down fishpond-heads, or fish there without licence of the owner, or enter into any Charter Park, Woods, or other grounds, and there kill or chase the Deer, or take any Hawks or Haws Eggs, in pain to suffer three months imprisonment, and to be bound with good sureties to the good behavior for seven years after.

XLIII. The party grieved shall in Sessions, or elsewhere recover treble damages against the Delinquent, and upon satisfaction shall have liberty to procure his release of the behaviour.

XLIV. Justices of Oyer and Terminer, Assize, Peace and Gaol-delivery in Sessions have power to heare and determine these offences.

XLV. Justices of Peace upon the offenders acknowledgement in Sessions, and satisfaction to the party grieved, shall have power to release the behaviour.

XLVI. Stat. 1 Jac. 23. In the Counties of Somerset, Devon, and

Corrwal, it shall be lawful for Hoers of fish to go upon any main ground neer the Sea-coast to discover fish, and for fisher-men to dry their seames and nets there, without danger of committing trespassse.

XI. V. II. Stat. 3. Jac. 12. None shall erect a Wear or Weare along the Sea-shore, or in any Haven or Creek, or within 5 miles of the mouth of any Haven or Creek, or shall willingly destroy the spawn or fry of fish, in pain of 10 l. to be divided betwixt the King and the prosecutor; neither shall any fish in any of the said places with any net of a lesser mesh then three inches and an half betwixt knot and knot (except for the taking of smoulds in *Norfolk* onely) or with a Canvas-net, or other engine, whereby the spawn or fry of fish may be destroyed, in pain to forfeit the said net or engine, and 10 s. in money, to be divided betwixt the poor of the Parish and the prosecutor; and to be levied in Corporations by the Head-officers, and in other places by distress and sale of goods upon warrant of a Justice of Peace directed unto the Constables and Churchwardens of the same Parish for that purpose.

Flax and Hemp.

I. Stat. 33. H. 8. 17. None shall water any Hemp or Flax in any River, Running-water, Stream, Brook, or common Pond, where beasts be used to be watered, but onely upon the ground, in pits ordained for that purpose, or in their own several ponds, in pain of 20 s. to be divided betwixt the King and the party grieved, or other prosecutor.

Fools, Lunaticks, and mad-men.

I. Perog. Reg. 9. 17. E. 2. The King shall have the custodie of the lands of natural foolcs, taking the profits thereof without waste, and finding them necessaries, of whose fee soever the lands be holden, and after the death of such Idiots shall render them to the right heir; so that the lands shall not be sold, nor the heir disinherited.

I. Perog. Reg. 10. 17. E. 2. The King shall provide, that the lands of Lunaticks be safely kept without waste; and they and their families (if they have any) shall be maintained with the profits thereof, and that the residue be kept for their use, and be delivered unto them, when they come to right minde; so that the Lands shall not be aliened, neither shall the King have any profit thereof.

to his own use : but if they die in such estate, the residue shall be distributed for their souls by the advice of the Ordinary.

Forcible entry.

I. Stat. 5.R.2.7. None shall enter into lands or tenement by force, in pain of imprisonment and ransome at the Kings pleasure.

II. Stat. 15.R.2.2. When forcible entry is made into lands or Church-livings, one or more Just. of P. taking sufficient power, and going to the place so kept by force, may commit the offender to the next Goale, there to remain convict by the Justices Record, till he hath made fine and ransome to the King ; And herein the Sheriff and all other shall be assistants, in pain of imprisonment and great fines making.

III. Stat. 8.H.6.9. The Stat. of 15.R.2.2. shall be duely put in execution both against forcible entry and against forcible detainer, although it were after Peaceable entry ; and all this at the costs of the party grieved.

IV. When complaint of any such entry or detainer shall be made to any Justice or Justices of Peace, he or they by precept shall command the Sheriffe to summon a sufficient Jury, and having by them made inquiry of the force committed, shall cause the tenements to be re-seized, and that as well in the absence as presence of the party offending : And here, the alienation of tenements (so entred into or deteined by force) for maintenance shall be adjudged void.

V. If the Jurors make default, issues are to be set upon them by the Sheriffes thus, 20 s. upon the first precept, 40 s. upon the second, 100 s. upon the third, and for every default after, the double.

VI. The Sheriffe or Bailiff, that shall neglect his duty herein, shall forfeit 20 l. to be recovered against him, as well before the Justices aforesaid, as before Justices of Assize by indictment or bill, and to be divided betwixt the King and the prosecutor.

VII. In an Assize of *novel disseizin*, or action of trespass against the Party guilty of forcible entry, forcible detainer and, alienation aforesaid, the party grieved shall recover treble damages.

VIII. Head-officers and Justices of Peace of Corporations have the power within their Franchises that other Justices of Peace have within Counties.

IX. This Statute shall endamage none where peaceable possession hath been enjoyed by the space of three years.

X. Stat. 31.E.11. There shall be no restitution upon an indictment

dictment of forcible entrie or detainer, where the defendant hath been three yeares next before in quiet possession, and his estate therein not ended.

XI. Stat. 21. Jac. 15. Upon force or detainer, as aforesaid, a Justice or Justices of Peace have power to give restitution of possession as well unto tenants for years, by Elegit, Statute-merchant, or Staple, Copiholders, or Guardians by Knights-service as unto those that claim free-hold or inheritance.

Forrests, Chases, Parks and Warrens.

I. Chatta forest, Cap. 1.9.H.3. All Forests afforested by H.2. shall be viewed by lawful men, and if he hath afforested any other Woods then his own in Demesne, whereby any is prejudiced, they shall be disafforested, saving Common of herbage, and other things within the forest to such, as have been accustomed to enjoy them.

II. Cap. 2. None dwelling out of the Forest shall come before the Justices of our Forest by common summons, unless they be impleaded there, or be sureties for others that are attached for the Forrest.

III. Cap. 3. All woods made forest by R.1. or King John shall be dis-afforested, unless they be our demesne woods.

IV. Cap. 4. All freeholders having woods in Forests shall enjoy them as they did at the Coronation of H.2. acquitted of all purprestures, waifes, and asserts, made before the second yeare of the Coronation of H.3. and they that make them hence forward shall be answerable to the King for the same.

V. Cap. 5. Rangers of the Forrests shall exercise their offices as was used at the Coronation of H.2. and not otherwise.

VI. Cap. 6. Lawing of Dogs shall be made in Forests from three yeares to three years by the view and testimony of lawfull men, and not otherwise; and he that hath not his dog lawed shall be amerced 3 s. also no oxe shall be taken for lawing of dogs, and it shall be done by the usual Assize, viz. that three claws of the fore-foot be cut off by the skin; Howbeit, such lawing shall not be, but where it hath been used from the Coronation of H.2.

VII. Cap. 7. No Foster or Beadle shall make Secot, or gather Garbe, Oats, Corn, Lamb, or Pig, but by the sight and oath of the 12 Rangers, when they shall make their Range: And there shall be so many Rangers assigned for the keeping of Forests, as shall seem reasonably sufficient for the same.

VIII. Cap. 8. There shall be onely three Swainmotes in the year

year, viz, one, 15 dayes before *Michaelmas*; another, about *Martimmas*, and the third, 15 dayes before *Midsummer*; at the first two of which none shall appear by distresse but the Fosters, Verdors, and Gest-takers, and at the other, onely the Fosters and Verdors: Howbeit, the Fosters and Verdors shall meet every forty dayes to see the attachments of the Forests, as well for Green-hue as hunting: And the Swain-motes shall not be kept but in the Counties, where they have used to be kept.

I X. Cap. 9. Every one having a Wood in the Forest may agest it, and take his pawnage there at his pleasure; he may also drive his hogs through the Kings Woods, or elsewhere for that purpose, and if they lie all night in the Forest, he shall not be questioned for it.

X. Cap. 10. None shall lose life or member for killing of Deer, but shall be fined for it, if he have any thing; if not, he shall be imprisoned a year and a day, and (if he can finde good sureties) shall then be delivered; but if not, he shall abjure the Realm.

X I. Cap. 11. A Peer of the Realm, being sent for by the King, in coming and returning may kill a Deer or two in the Forest, through which he passeth; Howbeit it must not be done privily, but by the view of the Foster, if present; but if absent, by causing one to blowe a horne for him, lest he seem to steal the Deer.

X II. Cap. 12. Every freeman may within the Forest (upon his own ground) make a Mill, Spring, Pool, Marle-pit, Dike, or arable ground, without inclosing such arable, so it be not to the nuisance of any of his neighbours.

X III. Cap. 13. Every free-man may have his Ayries of Hawks, Eagles, and Herons, and also Honey found in his Woods within the Forest.

X IV. Cap. 14. No Chimage or toll shall be taken in Forests but by a Forester in fee that farms his Bailiwick, & onely of such as buy the bushes, timber, bark, or coal to sell it again, viz, 2 d. for a cart, and 1 d. for an horse to be taken half yearly; and it shall onely be taken where it hath used to be taken, and not elsewhere: neither shall any chimage be taken of such as carry burthens of bushes, bark, or coal, albeit they sell it, unlesse they take them out of the Kings Demesne Woods.

X V. Cap. 15. All persons outlawed for trespassse in Forests since H. 3. shall be released thereof, finding sureties to offend no more.

X VI. No Constable, Castellain, or Bailiffe shall hold pleas of Forest for Greenhue or hunting, but the Forester shall attach such pleas and present them to the Verdors of the Provinces, who shall inrol

inroll them, and present them inclosed under their seals unto the Chief Justice of the Forest when he comes into those parts to hold pleas of the Forest to be determined before him.

XVII. These liberties of the Forest the King grants to all men, saving to all other persons the liberties and free customs in Forests, Warrens, and other places which they have formerly enjoyed.

XVIII. *Merton*, cap. 11. 20. H. 3. The Lords demanded the imprisonment of trespassers in their Parks and Ponds, but it was denied by the King, and so deferred.

XIX. *West.* 1. cap. 20. 3. E. 1. Trespassers in Parks or Ponds shall give treble damages to the party grieved, suffer three years imprisonment, be fined at the Kings pleasure, and give surety never to offend in the like kinde again: And if they cannot finde surety, they shall abjure the Realm, or being fugitive shall be outlawed.

XX. *Stat.* 31. 8. 1. A Forester, Parker, or Warrener, shall not be questioned for killing a Trespasser, who (after the peace cried unto him) will not yield himself, so it be not done out of some other former malice.

XXI. *Ordinatio Forestæ*, 33. E. 1. Stat. 5. Those to whom the King hath granted Purview (whereby their Woods are disafforested) shall be quit of the charge of the Forest, but then they are to have ne common there: Howbeit, such as are killing to return their Woods into the Forest shall enjoy Common and other easements there, as they did before.

XXII. *Ordinatio Forestæ*, 34. E. 1. cap. 1. Presentments of trespasses of Green-hue and hunting in Forests shall be made at the next Swainmote by the Foresters within their several Bailiwicks, before the Foresters, Verdors, Regardors, Agistors, and other Ministers of the Forest, and they shall be also inquired of by the oaths as well of Knights as other lawful men, (not suspected) of the nearest parts, where the trespasses were committed, and the presentments so inquired of shall be solemnly confirmed and sealed by the seals of the said Ministers.

XXIII. Cap. 2. If any officer die, or be otherwise hindered, that he cannot present at the Swainmote, the Justice of the Forest or his Lieutenant shall put another in his place, that the Indictment may nevertheless be made by all, in form aforesaid: also officers which are to be placed, shall be put as hath been used; except the Verdors, who shall be ordained by election or writ.

XXIV. Cap. 3. No Minister of the Forest shall be put upon any Assize, Jury, or Enquest to be taken without the Forest.

XXV. Cap. 4.

XXV. *Cap. 4.* No officer of the Forest shall surcharge the Forest, in pain to be imprisoned by the Justice of the Forest, or his Lieutenant, and he by whom they were placed shall be also punished at the Kings pleasure. At every *Swainmote* enquiry shall be made of surchargers, Foresters, and other Ministers there, and of oppressions done to the people, that reformation may be made.

XXVI. *Cap. 5.* Trespasses committed in grounds dis-afforested, shall be pardoned; yet so as the hedges and ditches shall be cast down and removed; saving the Kings Arrentations, which shall remain according to the Assize of the Forest; also the wood felled in the Forest shall be carried away, but that standing (though sold) shall be preserved.

XXVII. *Cap. 6.* The Justice or his Lieutenant shall take fines and amerciaments of Indictes for trespasses committed there, and shall not tarry for the Eyre. Commoners restrained from their Commons by the Perambulation, shall be restored to them again; saving the Kings Arrentations, as aforesaid.

XXVIII. *Stat. 1. E. 3. Stat. 1. cap. 8.* None shall be taken or imprisoned for vert or venison, unless he be taken with the manner, or else indicted, according to the forme of the Statute of 34. E. 1. And then the Warden of the Forest shall let him to mainprize, untill the Eyre of the Forest, without taking any thing for his deliverance: And if the Warden will not so do, he shall have a writ out of the Chancery of old ordeined for persons indicted, to be bailed till the Eyre.

XXIX. If the Warden after the writ served deliver not the person indicted to Mainprize, the plaintiffe shall have writ out of the Chancery directed to the Sheriffe, to attach the Warden to answer his default before the King at a certain day; And then the Sheriff (the Verdors being called to him) shall deliver the person indicted by good mainprize in the presence of the said Verdors, and shall deliver the names of the Mainpernors to the same Verdors to answer in the Eyre before the Justices.

XXX. If the chief Warden be thereof attainted, he shall be awarded to pay treble damages to the party grieved, committed to prison, and ransomed at the Kings will.

XXXI. *Stat. 1. E. 3. Stat. 2. cap. 1.* The great Charter, and also that of the Forest are confirmed.

XXXII. The perambulations of Forests shall continue, as they were bounded in the time of E. 1. and every County shall have a Charter thereof, and where they are not bounded, it shall be now done, and a Charter thereof shall be also made accordingly.

XXXIII. *Stat.*

XXXII. I. Stat. 1. E. 3. Stat. 2. cap. 2. Every man having wood within the Forest may take house-boot and hey-boot in his said wood; without being attached for the same by the Ministers of the Forest, so that it be done by the view of the Foresters.

XXXIV. Stat. 25. E. 3. Stat. 5. cap. 7. No Forester or other Minister there shall gather any victuals, or other thing, by colour of his office, but what is due of old right.

XXXV. Stat. 7. R. 2. 3. A Jury for the trial of a trespass within a Forest shall give up their verdict, where they received their charge, and shall not by menace, or otherwise be constrained to give their verdict of a trespass done in the Forest, otherwise than their conscience will clearly inform them.

XXXVI. Stat. 7. R. 2. 4. No officer of the Forest shall take or imprison any without due indictment, or *per main ouvre*, (with his hand at the work, that is, being taken with the manner) or trespassing in the Forest; nor shall constrain any to make obligation or ransom against his will, and the Assize of the Forest, in pain to pay the party grieved double damages, and to be ransomed at the Kings will.

XXXVII. Stat. 22. E. 4. 7. If any having Woods in his own ground, within any Forest, Chase, or Purlieu, shall cut or cause the same (or any part thereof) to be cut, by the Kings licence (where such Forests, Chases, or Purlieu are his) or without licence (where they belong to others) he may keep them several and inrolled during seven years next after their felling.

XXXVIII. Stat. 32. H. 3. 35. Every Justice of the Kings Forests, Chases, and Parks, by writing under the seal of his office may make as many Deputies as he please, which shall have like power as the Justice himself hath.

XXXIX. Stat. 16. 17. Ch. 16. An Act for the certainty of Forests, and of the Meers, limits, and bounds thereof. See the Statute at large.

Forfeiture.

I. Magna Carta, cap. 22. 9. H. 3. The King will not hold the lands of persons convict of Felony longer then a year and a day and then they shall be delivered to the Lords of the Fee.

II. Stat. 17. E. 2. 14. The King shall have the Escheats of the lands of freeholders of Arch-bishops and Bishops, which happen in time of Vacation to dispose of at his pleasure, the said freeholders being attainted for felony, saving to such Prelates the service, that thereto is due and accustomed.

III. Stat.

III. Stat. 17. E. 2. 16. The King shall have all the goods of felons and fugitives. and the year, day, and waste of their lands, and then the lands shall be delivered to the Lords of the fee, who may also (if they please) compound with the King for the year, day, and waste.

IV. Here certain lands are excepted, viz. 1. In Gloucester-shire, where after the year, and day the land shall descend to the next heir 2. In Kent (lands called *Gavelkind*) where the father may go to the bough, and yet the Son to the plough; And in *Gavelkind* all the heirs-male shall divide the inheritance, and so shall the heirs-female, but women shall not make partition with men; also a woman shall be endowed of the moiety, and if she commit fornication in her widow-hood, or marry, she shall lose her Dower.

V. Stat. *De Catallis felonum*, None taken for felonie for which he shall be imprisoned, shall be disseised of his lands or chattels, untill he be convicted thereof: but as soon as he is taken, his tenements and chattels shall be viewed by the Sheriffe and other officers of the King and lawful men and Inventoried, and kept by the Bailiff of him that is so taken, who shall give suretie to the Justices of the chattels or the price: saving to the accused and his family their necessities as long as he shall be imprisoned, and his reasonable estover, so that when he is convicted, the residue of his chattels (besides his estover) may remain to the King with the year and day of his lands; but if he be acquit, his chattels shall be restored. *Vide Rast. Forfeiture 7.*

VI. Stat. 31. E. 3. Stat. 1. 3. If any charged with the goods of fugitives and felons (will in discharge of himself) alledge another, that is chargeable therewith, he shall be heard, and right shall be done him.

VII. Stat. 34. E. 3. 12. There shall be no forfeiture of lands for treason of dead persons not attainted in their lives.

VIII. Stat. 1. R. 3. 3. None shall seize the goods of any arrested for suspicion of felony before he be convicted or attainted thereof, or the same goods be otherwise lawfully forfeited, in pain to forfeit to the party grieved double the value of the goods so taken, to be recovered by Action of debt, &c. wherein no essoin, &c. shall be allowed.

IX. Stat. 11. H. 7. 1. None that attends upon the King (for the time being) in his person, & doth him faithful service of Allegiance in his wars within the Realm or without, or is in other places at his commandment, shall be convicted or attainted of High Treason, or any other offence for

for so doing, whereby he may forfeit any thing, but shall be clearly discharged of all vexation and losse, which he may incur by reason of the same. And if any Act or proceſſe of Law hereafter happen to be made thereupon, it shall be void : Provided, that none take benefit by this Act, which shall hereafter decline from his Allegiance.

X. Stat. 24. H. 8. 5. If any be indicted or appealed for the death of one attempting to murder, rob, or commit burglary (and so found by verdict) he shall forfeit no lands or goods for the same, but shall be fully acquit and discharged thereof.

Forger of false deeds.

I. Stat. 5. El. 14. If any alone or with others shall wittingly, subtilly, and faſly forge or make, or cause to be forged or made any false Deed, Charter or writing sealed, Court-Roll, or Will in writing, to the intent, that the freehold or inheritance of lands, or the right or title thereof may be troubled, defeated, or charged, or shall publish or ſhew forth in evidence any ſuch forged writing as true, knowing the ſame to be false and forged, and shall be thereof convicted upon an action of Forger of false deeds (to be founded upon this Statute) at the ſuit of the party grieved, or otherwise, shall pay to the party grieved double coſts and damages, to be aſſeſſed in the Court, where ſuch conviction shall be, shall be ſet upon the Pillory in ſome Market-town, or other open place, and there have both his eares cut off, and alſo his noſtrils ſlit and ſeared with an hot Iron, he shall alſo forfeit to the Queen, her heirs and ſucceſſors the Iſſues of his lands, and ſuffer perpetual imprisonment during his life : And the ſaid coſts and damages shall be firſt levied upon the goods and iſſues of the lands of the offender, notwithstanding the Queens title thereunto.

II. For ſuch forging, &c. of a leaſe for years of lands (not Copihold) or of an Annuity, Obligation, Bill, Acquittance, Release, or other diſcharge of any perſonal thing; The offender shall pay double coſts to the party grieved to be aſſeſſed, as before, be ſet upon the Pillory, loſe one of his ears, and ſuffer a years imprisonment without bail.

III. The party grieved may have his remedy for his double coſts and damages by original writ out of the Chancery, as in caſe of treſpaſſe, by bill in the Kings Bench, or in the Exchequer, in which ſuit no eſſoin, &c. ſhall be allowed.

IV. Howbeit he that is once puniſhed for this offence shall not after

after be impeached for the same; And albeit the Plaintiffs release or discontinuance of suit may discharge his own remedy, yet the rest of the punishment shall be nevertheless inflicted by judgement and command of the Court.

V. The second offence is felony without Clergy, whereof the offender being convicted or attainted, he shall forfeit his lands and goods as other cases of felony, saving to all other persons their right, &c. neither shall such conviction or attainder extend to losse of Dower, or disherison of heir.

VI. provided, this Act shall not extend to charge any Ordinary, Commissary, or Official for putting their seal of Office to any will, not knowing the same to be forged, nor for writing such a will, or the probate thereof.

VII. Justices of Oyer and Terminer, and Assize in their Sessions shall hear and determine these offences.

VIII. Provided, this Act shall not extend to any Proctor, Advocate or Register for writing, setting forth, or pleading of any Proxie for the apparance of any person cited to appear in the Ecclesiastical Court, nor to any Archdeacon or official for putting their seal to such Proxie, nor to any Ecclesiastical Judge for admitting the same, nor to any Attourney or Counsellor for pleading or giving in evidence any such forged writing, being not party nor privy thereunto, nor to any person, that shall plead or shew forth any writing exemplified under the Great Seal, or the seal of any other Court of this Realm, nor to any Judge, Justice, or other person, that shall set any such seal thereunto, not knowing the same to be forged.

Forestallers, Regradors and Ingrossers.

I. Stat. 5.6.E.6.14 He or she that shall buy or contract for any Merchandize, Victual or other thing whatsoever, (in the way) before it shall be brought (by land or by water) unto any City, Port, Road, Fair or Market, where it should be sold, or shall cause the same to be so bought, or shall dissuade people from bringing any such commodity to any such place, or (being brought) shall persuade them to enhance the price thereof shall be adjudged a Fore-staller.

II. A Regrador is he, that buyes any grain, wine, fish, butter, cheese, candles, tallow, sheep, lambes, calves, swine, pigs, geese, pons, hens, chickens, pigeons, conies, or other dead victual whatsoever, brought to a Fair or Market to be sold there, and do sell the

the same again in the same Fair or Market, or in some other Fair or market within four miles.

III. An Ingrosser is he that gets into his hands by buying, contract, or promise (other then by demise, grant or lease of land or tithe) any corn growing in the fields, or other grain, butter, cheese, fish, or other dead victual whatsoever, with intent to sell it again.

IV. The party guilty of any of the offences aforesaid shall forfeit for the first offence the value of the goods so bought or had, and suffer two moneths imprisonment without bail; for the second, the double value, and suffer six moneths imprisonment without bail; and for the third, shall forfeit all his goods, be set upon the Pillory, and be imprisoned at the Kings pleasure.

V. This Act shall not restrain the buying of Barley or Oates to be converted into Mault or Oatmeal; nor the provision of any Town Corporate, Ship, Castle, Fort, *Barwick*, Holy Island, &c. or any Fishmonger, Inholder, Victualler, Butcher, Poulter, or people dwelling within one mile of the main Sea, which use to buy and sell fish, for any thing concerning their several mysteries or trading, they retailing the same at reasonable prices, nor any Badger, Lader, Kidder, or Carrier, assigned to that office by three Justices of Peace, and delivering the commodity out of his hand within one moneth after he buyes it; nor the taking of any thing reserved upon any lease, so that all these things be done without fraud, or forestalling.

VI. He that buyeth grain in any market for change of seed, shall bring as much the same day, and sell it, if he can, according to the present price of grain there, in pain to forfeit double the value of the grain so bought.

VII. He that buyes any cattel, and sells the same again alive within five weeks, shall forfeit double the value thereof, during which time he ought to keep them upon Pasture, which hath either by grant or prescription.

VIII. Justices of Peace in Sessions have power to hear and determine the aforesaid offences by inquisition, presentment, bill, or information, or by the testimony of two witnesses, and to extract the one half of the forfeitures to the use of the King, and cause the other half to be levied to the use of the prosecutor by *Fieri facias* or *Capias*, and when the prosecution shall be at the Kings suit onely, to extract the whole to the Kings use.

IX. None shall be punished twice for the same offence.

X. This Act shall not restrain the transporter of grain or comestibles from

from Port to Port (allowed by three Justices of Peace, and not forestalling) so that he imbarke the same within 40 dayes after he buyes them, and brings back from some Justice of Peace, or Head-officer a Certificate of their unlading agreeable to his Cocket.

X I. The offences against this Statute shall be prosecuted within two years.

X II. This Act shall not restrain a Drover, allowed by three Justices of Peace (1 Qu.) and selling his cattel at 40 miles distance from the place where he bought them: Howbeit such allowance ought not to continue above one year.

X III. Stat. 13. El. 25. in fine. The Statute of 5. 6. E. 6. 14. shall not extend to Wines, Oils, Sugars, Spices, Currants, or other forreign victual brought from beyond Sea, Fish and Salt onely excepted.

X IV. For more ancient Statutes against Forestalling. See the Statute of Forestallers, 31. E. 1. and the Statute of Clothes, 25. E. 3. 3. which because they are altered by 4. 5. E. 4. 14. I have not thought them fit to be inserted.

Franchises and Liberties.

I. Magna Charta, cap. 1. 9. H. 3. The Church of England shall be free, and shall have all her holy rights and liberties inviolable.

II. Magna Charta, cap. 9. 9. H. 3. The City of London, and all other Cities, Burroughs, Towns, the Barons of the five Ports, & all other Ports shall have all their old liberties and free customs.

III. Magna Charta, cap. 37. 9. H. 3. All free and ancient liberties and customes of all persons as well Spiritual and Temporal are reserved, which the King himself promiseth to observe, and commandeth all men of his Realm to do the like. He likewise further promiseth, that neither he nor his heirs shall procure or do any thing to infringe them, and that if any thing be so procured, it shall be void.

IV. Stat. De quo warranto, 18. E. 1. If any can verifie by good enquest, or otherwise, that they or their ancestors or predecessors have used any liberty, whereof they have been impleaded by Quo warranto, before the death of R. 1. and have hitherto (not having misused such liberty;) They shall be adjourned to a reasonable day before the Justices, within which time they may repair to the King, with the Record thereof, signed by the Justices seal which done the King will confirm their estate; and if any Judgements have been given upon such writs by the Justices at westminster, upon the complaint of the party grieved to the King; he will give them remedy.

V. All pleas of *Quo warranto* shall be from henceforth pleaded & determined in the Circuit of the Justices, and all pleas now depending shall be adjourned into their proper Counties, until the coming of the Justices into those parts. *Note that this Statute was confirmed by another Statute De quo warranto, of the same year, and to the same effect.*

VI. *Stat. De quo warranto 30. E. 1.* The form of a Writ to be directed to the Sheeff to permit all men to enjoy all such liberties as they had before; and of a Proclamation, that such as claim liberties shall shew to the Justices (at the first Assizes, when they shall come into those parts) how they hold them; for which they shall have fourty dayes summons; and if they appear not, their liberties shall be seized in the name of distresse. Also the form of another Proclamation, that such as will complain of the Kings officers shall shew their grievances to the said Justices.

VII. *Stat. De Tallagio non concedendo, Tempore E. 1. cap. 4.* All persons shall have their lawes, liberties and free customes as largely as they have used to have them, when they had them best: And if any Statutes or Customes have been made or brought in by us or our predecessours, or if any article contained in this Charter be found contrary thereunto, they shall be void.

VIII. *Stat. 1. E. 3. Stat. 2. 9.* All Cities, Burroughs, and franchised Towns shall enjoy all their franchises, customes, and usages, as they ought, and were wont to do.

IX. *Stat. 14. E. 3. Stat. 1. cap. 1.* Holy church shall have her liberties in quietnesse: The great Charter and that of the Forest shall be holden in all points: And the Citie of London and all other Cities and Boroughs shall enjoy all their Franchises and Customes, which they have reasonably had and used in times past.

X. *Stat. 25. E. 3. Stat. 3. 1.* All priviledges and franchises heretofore granted to the Clergy are confirmed, and shall be holden in all points.

XI. *Stat. 6. R. 2. Stat. 1. 1.* The Church of England shall have all her liberties whole and unhurt, and the same shall fully enjoy and use.

XII. *Stat. 7. R. 2. 1.* Holy Church shall enjoy all her liberties and franchises, as she had them in the time of the Kings Progenitors. The like is granted in 2. R. 2. 1. 3. R. 2. 1. 5. R. 2. 1. 8. R. 2. 1. 12. R. 2. 1. & 1. H. 4. 1.

XIII. *Stat. 2. H. 4. 1.* The Church shall have her rights and liberties. All Lords spiritual and temporal, Cities, Burroughs, and Towns enfranchised shall enjoy the liberties and franchises, which they

they have lawfully used or have had by the grant of the Kings predecessors, Kings of England, *Vide* 9. H. 4. 1. 13. H. 4. 1. 3. H. 5. 1. and 2. H. 6. 1. which are in effect the same, save that they except such Franchises as are repealed or repealable by the Common Law.

XIV. Stat. 27. H. 8. 24. None but the King shall have power to pardon treason or felony, or such as are accessory to, or outlawed for the same, notwithstanding any Grant, Usage, Prescription, Act, or other thing to the contrary.

XV. None shall make Justices in Eyre, of Assize, Peace, or Gaol-delivery, but onely the King, and that by his Letters patents under the great Seal, notwithstanding any grant, &c.

XVI. All Writs, Indictments, and Proccesses in every County Palatine, or other liberty shall be made in the Kings name, *Teste* the owner of such County Palatine, or liberty; and here in every such writ and indictment of any offence against the Peace, it shall be supposed to be done against the Kings peace, and not against the peace of any other person, notwithstanding any Grant, &c.

XVII. Provided, that Justices of Assize, Gaol-delivery, and Peace in the County Palatine of *Lancaster* shall be so made under the Kings usual seal of *Lancaster*, notwithstanding this Act.

XVIII. Provided also, that Corporations, which have power to have Justices of Peace and Gaol-delivery, may have them still, notwithstanding this Act.

XIX. Stewards, Bailiffs, and other ministers of Liberties shall attend the Justices of Assize, Gaol-delivery, and Peace, and make due execution of all proccesses to them directed within their liberties; And the Bailiffes there or their Deputies shall also attend and assist the Sheriff at the Gaol-delivery for execution of prisoners.

XX. Provided, that the last clause shall not be prejudicial to any Stewards, or Bailiffes of Corporations, which are not compellable to attend or appear out of their Corporations.

XXI. The King shall have the fines, issues amerciaments and forfeitures, which shall be set upon or lost by Stewards, Bailiffes, or other Ministers of Liberties, notwithstanding any grant, &c. And amerciaments for insufficient returns made by such Stewards or Bailiffs, shall be set upon their heads, and not upon the Sheriffs.

XXII. Purveyors may take provision within liberties, notwithstanding any grant, &c. Provided, such purveyors observe the Statutes made for them in that behalf.

XXIII. The Kings Officers may keep their Courts within the Verge, and his Clerk of the Market onely shall execute his office here, notwithstanding any Liberty but *London*.

XXIV. All Statutes made against Sheriffes; Under-Sheriffes, Bailiffes, or other Ministers for any misdemeanour concerning their Offices shall extend to Stewards, Bailiffes, and other Ministers of Liberties.

XXV. Stewards and Bailiffes of Liberties, and their Deputies, and Clerks may execute their offices above a year, notwithstanding this last clause.

XXVI. All such Justices to be made, as is afore rehearsed in this Act shall have power to hold their Sessions of Peace, and to deliver the Gaoles within their liberties, and to execute all other things within the same, in as ample manner as other Justices of Peace and Gaol-delivery do in any Shire, notwithstanding any Act, Grant, &c.

XXVII. The new Justices now to be made by the King within Liberties shall sit, where such Justices have commonly used to sit before; and none within the said Liberties shall be compellable to appear before any other Justices out of the same Liberties.

XXVIII. Sir *Thomas Englefield* now Justice of *Chester* and *Flint* shall not be prejudiced by this Act.

XXIX. This Act shall not be prejudicial to Corporations, but they shall enjoy such liberties, fines issues, amerciements, and forfeitures, as they did before the making thereof.

XXX. The Bishop of *Ely* and his Steward for the time being shall be Justice of Peace within the same Isle, notwithstanding this Act; so also shall the bishop of *Durham* and his Chancellor in that County Palatine, and the bishop of *Yorke* and his Chancellor of *Hexam* within that Precinct.

XXXI. Stat. 32.H.8.20. The same franchises, that the late owners of Religious houses had within three moneths before their dissolutions shall be revived, and be actually in the King, and in the survey of the Court of Augmentations; And the Stewards, bailiffes and Ministers thereof shall accompt there, as other officers accomptants of the King in that Court have done.

XXXII. The Franchises of the late Religious houses, which have come to the Kings hands by attainder, shall be in the order of the Court of General Surveyors; And the Stewards, Bailiffes, and other Ministers thereof shall accompt there, as other officers accomptants of the King in that Court have done.

XXXIII. The said Stewards and other officers shall be attendant and obedient in all other the Kings Courts, as the officers of the said late owners were; and no Sheriffe or other forreign officer shall intromit into their Liberties in any other manner then they

law-

lawfully might have done before the said Franchises came into the Kings possession.

XXXIV. Every person may use all such liberties as he hath by the Kings grant or otherwise, notwithstanding this Act: Also the offices, fees, annuities, and profits of all persons out of any of the lands of the said Religious houses are saved.

XXXV. Fines may be levied in the Court of Augmentations of lands within that Survey to the Kings use without fee, and the Justices of the Common Place shall receive and allow the same: also all deeds and obligations made to the Kings use, which concern the said lands, may be there enrolled without fee.

XXXVI. Provided that the Kings Officers may keep Court within the Verge, and his Clerk of the Market, and none other execute his office there, notwithstanding any grant, &c. Neither shall this Act be prejudicial to the City of London.

XXXVII. The lands of the late Monastery of *Furnes*, and of the late Monasteries and Priories of *Cartemele*, *Coningshed*, *Barrough*, and *Holland*, and the Liberties and Franchises belonging therunto, shall be in the Government of the officers of the Duchy of *Lancaster*: and the officers of those liberties shall be liable to accompt, as other officers of the Duchy have used to be; they shall also be attendant upon the Kings Courts: and the Sheriff and other officers are prohibited to intromit into those liberties.

XXXVIII. This Act shall not annul or diminish any of the liberties belonging to the said Duchy, or to the five Ports, or the members thereof.

XXXIX. ~~The~~ Petition of right, 3. Car. None shall be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without consent by Act of Parliament, nor upon refusal to do shall be called to make answer, take any oath not warranted by law, give attendance, or be confined, or otherwise molested concerning the same, or for refusal thereof: Neither shall any Freeman be imprisoned or detained without cause shewed.

XL. The subject shall not be burthened by the quarter of soldiers or Mariners; and all Commissioners for proceeding by Martial Law shall be annulled, neither shall any of like nature be issued out hereafter, lest the subject (by colour thereof) be destroyed, or put to death, contrary to the Laws and Franchise of the Land.

XLI. What hath beene done to the prejudice of the Subject in any of the premises shall not hereafter be drawn into consequence or example, and the King declares his pleasure to be, that in the things

things aforesaid all his officers and ministers shall serve him, according to the Lawes and Statutes of the Realm.

Fraudulent Conveyances.

I. Stat. 50. E. 3. 6. Fraudulent assurances of lands or goods to deceive Creditors shall be void, and the Creditors shall have execution thereof, as if no such gift had been made.

II. Stat. 13. El. 5. All fraudulent conveyances of lands, tenements, hereditaments, goods or chattels, and all such bonds, suits, judgements and executions made to avoid the debt or duty of others, shall (as against the party onely, whose debt or duty is so endeavoured to be avoided, their heirs, successors, executors, or assigns) be utterly void, any pretence, feigned Consideration, or, &c. notwithstanding.

III. Every of the parties to such a fraudulent conveyance, bond, suit, Judgement, or execution, who being privy thereunto shall wittingly justifie the same to be done *bonâ fide*, and upon good consideration, or shall alien or assigne any lands, lease or goods so to them conveyed, as aforesaid, shall forfeit one yeares value of the Lands, Lease, Rent, Common, or other profit out of the same, and the whole value of the goods, and also so much money as shall be contained in such covenous bond; And being thereof convicted shall suffer halfe a yeares imprisonment without bail. And here, the said forfeitures are to be divided betwixt the Queen, and the partie grieved.

IV. Common Recoveries against the tenants of the freehold shall be good notwithstanding this Act. And so shall all estates made for the procuring of a Voucher in *Formedon*: Neither shall this Act extend to grants made *bonâ fide*, and upon good consideration to persons not privy to such Collusion.

V. Stat. 27. El. 4. Every conveyance, grant, charge, incumbrance, and limitation of use or uses of, in, or out of any lands or other hereditaments, made to defraud any purchaser of the same in fee, for taile, for life or yeares, shall (as against such purchaser onely, and every other person lawfully claiming from, by, or under him) be utterly void, the said purchaser having obtained the same for money or some other good consideration.

VI. Every of the parties to such fraudulent conveyances, or being privie thereunto, who shall justifie the same to be made *bonâ fide*, and upon good consideration, to the disturbance or hinderance of the purchaser or of any other lawfully claiming from, by, or under him, shall

forfeit one years value of the lands or other hereditaments so purchased or charged, to be divided betwixt the Queen and the party grieved, and being thereof convicted shall suffer half a years imprisonment without bail.

VII. Conveyances made upon good consideration and *bonâ fide* shall be good, notwithstanding this Act.

VIII. If lands be first conveyed with clause, provision, or condition of revocation, determination, or alteration, and afterwards sold or charged for money or other good consideration, before the first conveyance was revoked, altered, or made void, according to the power given thereby; In this case such first conveyance shall be void against the vendee. and all others lawfully claiming from, by, or under him: Howbeit no lawful mortgage, made *bonâ fide*, without fraud shall be impeached by this Act.

IX. All Statutes Merchant, and of the Staple, shall within six moneths after their acknowledgement be entred in the office of the Clerk of Recognisances taken according to the Stat. of 23. H. 8. 6. and the Clerk there (upon shewing the same) shall make entry thereof, for which he shall have 8*d.* and no more.

X. Every such Statute, which is not within four moneths after the acknowledgment thereof, delivered to be entred accordingly, shall be void against the purchaser of the lands chargeable therewith, and against his heirs, successors, executors, and assigns.

XI. The said Clerk shall within the said six moneths make entry of every Statute to him delivered, as aforesaid, and shall endorse thereupon the day and year of such his entry with his own name, in pain to forfeit for every Statute so brought unto him, and not entred, as aforesaid, 20*l.* to be divided betwixt the Queen and the prosecutor.

XII. The Clerk shall take for the search of a Statute but 2*d.* for every yeares search, in pain to forfeit to the party grieved twenty times so much, as he takes above, to be recovered in any Court of Record by action of debt, &c.

XIII. Provided, that this Act shall not extend to make good any purchase made void by reason of any former conveyance, so as the party so making void the same, his heirs or assigns were the first day of this Parliament in actual possession of the lands, out of which any such Purchase, Lease, Charge or Profit was made.

Freehold.

Freehold.

I. *Parlbz. Cap. 22. § 2. H. 3.* None shall distrein his freeholders to answer for their Freeholds, or for any thing touching the same, without the Kings writ; nor cause his Freeholders to swear against their wills: for none may do that without the Kings commandment.

II. *Stat. 15. R. 2. 12.* None shall be compelled to answer for his Freehold, or for any thing touching the same, or for any other thing real or personal, before the Council of any Lord or Lady; and if any be hereafter molested in that kinde, and thereof complain to the Chancellor, he shall have remedy.

III. *Stat. 16. R. 2. 2.* The Stat. of 15. R. 2. 12. shall be duly put in execution, and if any Lord, Lady, or other do to the contrary, they shall forfeit 20 l. to the King.

Fuel.

I. *Stat. 7. E. 6. 7.* The Assize of Fuel shall hereafter be, as followeth; Every sack of coal shall contain 4 bushels of good and clean coal: a Talshid shall contain in length four foot besides the carse: Every Talshid name of *one* shall within a foot of the midst be 16; of *two*, 23; of *three*, 28; of *four*, 33; and of *five*, 38 inches about: Also every Billet shall contain in length three foot 4 inches, and being named a single, shall contain 7 inches and an halfe about, a *cast*, 10; and *two casts*, 14; likewise a fagot bound shall be three foot long, and have the bond 24 inches about, besides the knot.

II. Billets of two casts may be made without danger of forfeiture, they being made according to the above-said Assize, and marked within six inches of the midst; but a Billet of one cast shall be marked within four inches of the end thereof

III. For every Talshid, Billet, Fagot, or sack of coals otherwise made and put to sale, the maker and seller thereof shall forfeit 3 s. 4 d.

IV. None shall buy any such Fuel, but Wharfingers or barge-men or such as will burn the same, or will retail it to such as will burn it; in pain to forfeit the treble value of Fuel otherwise bought: neither shall any alter any mark or assize of Fuel upon the like forfeiture; all which forfeitures are to be divided betwixt the King and the prosecutor; but are not recoverable, unlesse prosecuted within

within a year after the offence committed.

V. Here if the offender be not able to satisfy the forfeiture, he shall (upon conviction by witnesses or otherwise) be set upon the Pillory in the next Market-Town upon the Market-day at 11 a clock by command of a Justice of Peace, or any other of the Kings officers, having a Billet or Fagot bound to some part of his body.

VI. Stat. 43. E. 14. So much of the Stat. of 7. E. 6. 7. as concerns the forfeiture of 3 s. 4 d. is repealed; but the assize of Fuel ordeined by that Act is still continued, and enjoined to be observed in London, Westminster, and all other Corporations, where Talwood, Billet, and fagots are used to be sold.

VII. If any shall bring any Talwood, Billet or Fagot to any City, Burrough, or Corporation to be sold there, or being brought shall put the same to sale, not being made according to the Assize limited by the Stat. 7. E. 6. 7. or hereafter by this Act, upon information thereof the Major or other Head-officer of such City, Burrough, or Corporation shall swear six lawful men there to inquire thereof; And if the said Fuel shall by them be found faulty, it shall be by such Major or other Head-officer delivered to the Overseers for the poore there, to be distributed to the poor there, as the said overseers shall think fit.

VIII. Every Talshid marked one being round-bodied shall contain 16 inches and an half in compasse; being half round, 19 and quarter cleft, 18 inches and an half: being marked *two*, and round 23 inches; half round, 27; and quarter cleft 26; marked *three*, and round, 28; half round, 33; quarter cleft, 32: marked *four*, and round, 33; half round, 39; quarter cleft, 38: And marked *five*, and round, 38; half round, 44; and quarter cleft, 43: All which are to be measured about within six inches of the midst thereof, and are to contain the length limited by the Statute of 7. E. 6. 7.

IX. In all other formes of cleaving of Talwood, which will not admit the former manner of cleaving, nor any of these, the letter of the said Statute of 7. E. 6. is to be observed.

X. Every Billet, named a *single*, shall contain in compasse, being round, 7 inches and an half, and no singles shall be made out of cleft wood.

XI. Every Billet marked *one*, (called a *cast*) being round shall contain in compasse 11 inches; half round, 13; quarter cleft, 12 and an half, and marked *two* (called *two casts*) being round shall contain in compasse 16 inches; half round, 19; and quarter cleft, 18 and an half: And in all other formes of Billet, which will not admit

mit the former manner of cleaving, and touching the length of Billet, the letter of the said Stat. of 7.E.6. is to be observed.

XII. A fagot shall contain in compasse (besides the Knot 024 inches, and every fagot-stick shall be three foot long, except one, which may be but a foot long, to stop and harden the binding of the fagot the better.

Fustions.

I. Stat. 11.H.7.27. None shall dresse Fustions with any other Instruments then the broad Sheers, in pain of 20 s. for every such default to be divided betwixt the King and the prosecutor.

II. The Major and Wardens of Sheermen in London shall have power to search the workmanship of such as use the broad Sheer, as well for Fustion as Cloth; and this Act shall be executed as well against Denizens as strangers.

III. Stat. 39. El. 13. The Major of London or his Deputy, and the Master and Wardens of the Mystery of Cloth-workers there, or such discreet persons as the said Master and Wardens shall appoint may make such search as the said Major and Wardens of Sheermen might do together by the Statute of 11.H.7.27. And none shall resist such search, in pain of 20 s. to be divided betwixt the King and the prosecutor.

Gauging.

I. Stat. 27. E.3. Stat. 1. **A**LL Wines white and red brought into the Kings Dominions, shall be lawfully gauged by the Kings Gaugers, or their Deputies; and none shall resist them, in pain to forfeit the Wines to be imprisoned and to be ransomed at the Kings will.

II. If the Gauger be not ready to do his office upon request, or use fraud therein, he shall pay to the party grieved treble damages, lose his office, and be imprisoned, and ransomed, at the Kings will.

III. If the vessel want due measure, the value of that want shall be deducted out of the price thereof.

IV. Stat. 31.E.3.5. If any sell a tun or pipe of Wine not gauged, he shall forfeit the same wine or the value thereof to the King.

V. Stat. 4.R.2.1. The former Statutes made for gauging shall be duely put in execution: and all other vessels of wine, Vineger, Oil, Honey, and other liquors gaugeable (brought into the Kings Dominions) shall be lawfully gauged by the Gaugers thereunto assigned, or their Deputies; and if any resist them, or if they be found faulty, both the one and the other shall incur the pains ordeined by the said former Statutes.

VI. Stat. 14.R.2.8. None shall be molested for not gauging of Rhenish wines, nor incur any forfeiture for the same, otherwise then hath been used of old time.

VII. Stat. 18.H.6.17. All Tuns, Pipes, Tertians, and Hogsheds of Wine and Oil (to be sold within the Realme) shall be lawfully gauged by the Kings Gauger or his Deputy before they be sold, in pain to forfeit to the King the Wine, Oil, and Honey otherwise sold, or the value thereof.

VIII. If any sell any such vessel wanting the due measure, he shall abate so much of the price as it wants of measure, in pain to forfeit to the King the value of such Wine, Oil, or Honey otherwise sold.

IX. The Informer, who will discover such forfeitures to the Lord Treasurer, or Barons of the Exchequer shall receive half thereof for his labour.

X. Stat. 23.H.6.16. The Gauge-peny shall not be paid to the Gauger, or any other in his name, before he or his Deputies have gauged the Wines, and then he may take it, and no more.

XI. He or his Deputy shall (upon request) be ready to do their office: And this Act is to be observed throughout the Realme, upon the pain comprized in the Statute of 27.E.3.8.

XII. Stat. 31.E.8. No Brewer shall sell or put to sale in London, the Suburbs, or within two miles compasse of the Suburbs any Beer or Ale in Buts, Pipes, Punchions, Hogsheds, Tierces, or such other vessel brought from beyond Sea, and never lawfully gauged within this Realm, before the same be lawfully gauged, and the true content thereof set down thereupon (by the Gallon, appointed for Beer and Ale, according to the Standard) by the Master and Wardens of the Coopers of the City of London, or their Deputies: neither shall any Brewer sell or put to sale any Beer or Ale, in such vessel elsewhere in England or Wales before the same be lawfully gauged, and the true content thereof set thereupon, by such as by the Statute of the 23.H.8.4. (which see in Coopers,) are to have the Gauging of Barrels, Kilderkins, and Firkins elsewhere in England and Wales, in pain to forfeit every such vessel, and also the Beer

Beer and Ale therein, to him that will seize the same, and besides 10 s. for every such vessel; all which forfeitures are to be divided betwixt the Queen and the prosecutor.

XIII. The fees of the Gauger shall be for every But or Pipe, a peny, for every Punchion, Hoghead or Tierce an halfpeny; and for every other vessel after the like rate.

XIV. This Act shall extend to Denizens as well as strangers; and the Gauger may retain the vessel, until he be paid his fee.

XV. The Master and Wardens of the Coopers in London or their Deputies or Deputy within 48 hours after request to them made shall come to any person in London, or the Precinct aforesaid, and shall gauge and mark his vessel, in pain of forfeiting to him that makes such request 20 s. to be recovered by action of debt, &c.

XVI. This Act shall not extend to punish the Brewer that shall fill vessels, which are imported, and after they are so filled are immediately to be exported to be spent elsewhere out of this Realm.

Gigmils.

1. Stat. 5. 6. E. 6. 22. None shall use any Gigmil for the working of any woollen Cloth, in pain to forfeit for every cloth so used 5 l. to be divided betwixt the King and the prosecutor.

Gold, Silver, and Goldsmiths.

1. Artic. Sup. Cart. Cap. 20. 28. E. 1. None shall make or cause to be made any Vessel, Jewel, or other thing of Gold or Silver, except it be of good and true alloy, viz. gold of a certain touch, and silver of the sterling alloy or better, and none shall work worse silver then money.

II. No vessel of silver shall depart out of the workers hands, until it be assayed by the Wardens of the craft and marked with the Leopards head: neither any worke worse gold then of the touch of Paris; And the said Wardens shall go from shop to shop to assay gold, whether it have the right touch, and if any other be found it shall be forfeit to the King.

III. None shall make rings, crosses, or lockes, nor set any stone in gold, unless it be natural; and Gravers of stones and seals shall give to each their weight of silver and gold, as neer as they can.

IV. The Jewels of base gold, which they have they shall utter as soon as they can, and if they buy any such work hereafter, they may

may buy it to work upon, but must not sell it.

V. The Goldsmiths of all other places in *England* shall be governed by this law, and one shall come from each Town to *London* to be assayed of their touch.

VI. If any Goldsmith offend against this law, he shall suffer Imprisonment, and be ransomed at the Kings will.

VII. This Act shall not impeach the Kings prerogative.

VIII. Stat. 27. E. 3. 14. All Merchants Denizens and strangers may import plate of silver and billets of gold, and all other gold and silver to the Kings bullion or his exchanges, taking their gold or silver equal to the value. And any man take forraigne coine without impeachment, yet he may refuse it, if he please.

IX. No coine shall be currant in the Kings Dominions, but his owne; neither shall any export gold sterling or other money, save onely that which is new, except Merchants strangers, who importing money, wilimploy the same within this Realme, in which case they may export without impeachment so much as they import, or so much thereof as shall not be so imployed: Howbeit lawful search thereof ought to be made in the Port where they arrive, and the money so imported must be put in writing by the searchers, to the end they may not export more then they Import; but here, no Officer (by colour of such search) shall unduely vex the Merchant stranger.

X. All false money shall be forfeited to the King.

XI. Stat. 7. E. 37. Every Goldsmith shall make his worke of silver lawfully of the Alloy of good sterling, and shall have a proper marke by himself, made known to such as shall be assigned by the King to survey his his worke or alloy.

XII. The Goldsmith shall not set his marke thereunto, until the surveyors have made their essay, as shall be ordained by the King and his Council; And when the essay is made, the surveyors shall set to the Kings marke, and after the Goldsmith his marke.

XIII. No Goldsmith shall take for vessel white and full for the weight of a pound (*viz.* of the price of two marks of *Paris* weight) but 18 pence, as they do at *Paris*.

XIV. If the Goldsmith be found in default, he shall forfeit his false metal to the King.

XV. Stat. 5. H. 4. 13. None shall gild any Rings or other things made of Copper or Latin, save onely ornaments of the Church (besides Challices, the metal plainly appearing in some part thereof) in paine to forfeit 5 l. to the King, and damages to the parties received by them.

XVI. Stat. 1. H. 5 Stat. 2. Cap. 4. Goldsmiths shall gild no sil-
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ver wares, but of the alloy of sterling, and shall not take above 46s. 8 d. for a pound of Troy-silver so gilt, and for more or less after the same rate, in pain to forfeit to the King the value of the thing otherwise sold.

XVII. Stat. 8. H. 5. 3. None shall gild sheaths, or any metal but silver, & the ornaments of holy Church; neither shall any silver any metal, but Knights spurs, and the apparel pertaining to a Baron, or above that estate; in pain to forfeit ten times the value of the thing so gilt, and to suffer a years imprisonment; he also that will sue for the said forfeiture shall have a third part thereof for his pains.

XVIII. Justices of peace have power to hear and determine the offences committed against this Act.

XIX. Stat. 2. H. 6. 14. None shall sell any worke of silver, unless it be as fine as sterling, except what sowder is necessary to be used therein, for which allowance shall be made accordingly.

XX. None shall put to sale any silver harness in London before it be touched, and also marked with the Goldsmiths mark, first made known to the Wardens of that Craft, in pain to forfeit the double thereof.

XXI. If the Keeper of the Touch mark such harness with the Leopards head, which is not as fine as sterling, he shall forfeit the double value thereof to the King, and damages to the party grieved.

XXII. York, Newcastle, Lincolne, Norwich, Bristol, Salisbury, and Coventry, shall have several touches (according to the Ordinances of the chief Officers there) which shall be directed by the orders of London upon the like forfeiture.

XXIII. No Goldsmiths elsewhere, where there is no touch shall put to sale any work of silver under the fineness of sterling, and shall set their mark thereupon before they so put it to sale upon the like forfeiture.

XXIV. All Justices of Peace may hear and determine the offences committed against this Act: Howbeit, if the Mint-master offend, he shall be punished according to the form of his Indentures, *vide Stat. 2. H. 6. 12.* in title *Moncy*.

XXV. Stat. 4. H. 7. 2. No Finer of gold and silver shall alloy any fine silver or gold; nor sell it, (save onely to the officers of the Mint; Changers, and Goldsmiths for the amending of Coin and Plate, for which he shall receive the true valued) in pain to forfeit the value of the gold or silver so alloyed or sold, to be divided betwixt the King and the finder.

XXVI. No

XXVI. Neither shall any such finor sell any silver in Masse molten, and alloyed, in pain to forfeit the same, to be divided betwixt the King and the finder.

XXVII. All fine silver, which is to be parted, shall be made, so fine, that it may bear twelve penny weight of alloy in a pound weight, and yet remain as good as sterling: and every finer shall put his several mark upon such fine silver, in pain to forfeit the value thereof, to be divided betwixt the King and the finder.

XXVIII. No Goldsmith shall melt or alloy any fine silver, except it be for making of Amels, Goldsmiths work, or mending of Plate to make it as good as sterling; neither shall he sell any fine or alloyed silver molten into Masse to another Goldsmith, and to any other person whatsoever.

XXIX. This Ordinance shall be observed by all Goldsmiths, in pain to forfeit their silver or the value thereof, to be divided betwixt the King and the finder.

XXX. Stat. 18. El. 15. No Goldsmith shall work, sell, or exchange any Goldsmiths ware of gold under 22 carats fine, nor shall put more sother, amel, or other stuffings in his work then is necessary for the finishing thereof; neither shall he take above 12 d. for the ounce of gold (besides the fashion) more then the buyer may be allowed for it at the Queens exchange or Mint, in pain to forfeit the value of the thing so sold or exchanged.

XXXI. No Goldsmith shall make, sell or exchange any Goldsmiths ware of silver, lesse in fine then 11 ounces and two penny weight, or take above 12 d. for every pound weight of such ware (besides the fashion) more then the buyer may be allowed for it at the Queens exchange or Mint, nor put to sale any silver-work, before he hath set his own mark to so much thereof as may conveniently bear the same, in pain to forfeit the value of the thing so sold or exchanged.

XXXII. If any Goldsmiths work be marked and allowed by the Wardens or Masters of that Mystery, & be afterwards found faulty; the Wardens and Corporation of the said Mystery shall forfeit the value of the thing so sold or exchanged.

XXXIII. The said forfeitures are to be divided betwixt the Queen and the party grieved.

GRANTS.

I. Stat. 3. 4. 5. 6. 4. An exemplification of the enrolment of the Kings Letters Patents under the Great Seal shall be of as good force

to be shewed or pleaded in behoof of the Patentees, their heires, successors and assignes, or of any other having any estate from, by or under them, or any of them, or by any other means under the date of such Letters Patents, as if the letters Patents themselves were produced.

II. Stat. 13. El. 6. An exemplification of the enrolment of the Letters Patents by **H. 8. E. 6. Qu. M. Ph. & M. Qu. El.** or any of them since the 4th. of Febr. in the 17 year of H. 8. or hereafter to be granted by the Queen, her heires or successors, shall be of as good force to be shewed or pleaded in behoof of the Patentees, their heires, successors and assignes, and every other person having any estate from, by, or under them, or any of them, as well against the Queen, her heires and successors, and against all other persons whatsoever, as if the Letters Patents themselves were produced.

Gunpowder.

I. Stat. 16. 17. Car. 21. An Act for the free bringing in of Gunpowder and Salt-peter from forreign parts, and for the free making of Gunpowder in this Realm: See the Statute at large.

Hats and Caps.

I. Stat. 8. El. 11. **N**one by himself or any other shall work hats or felts with forreign wool or stuff, unlesse he hath been Apprentice or Covenant-servant seven years at least to the mystery of hat or felt-making, in pain to forfeit the hats or felts he shall make or cause to be made, and also $\text{5} \text{ } l.$ for every moneth he shall so continue.

II. None shall make, sell or cause to be made or sold any thing of felt but hats; nor any cap of any woollen cloth not knit, not dye, or cause to be dyed any cap with bark or swarf; but onely with Copperas and Gall, or with Woad and Madder.

III. None shall full in any Mill any cap, until it be first well scoured and closed upon the bank, and half thicked (at least) in the foot-stock.

IV. The Master and Wardens of Haberdashers in London, calling to them one of the Company of Cappers, and another of the Hat-makers shall have power to search (in London, and with-

in three miles round) all Cappers and Hatters, and to punish them that offend, by fines or otherwise, as they do other offenders in that Company. The like also shall be done by Majors and other Head-officers in other Cities and Corporations elsewhere.

V. No Hat-maker shall retein above two apprentices at once, nor take any for lesse time then seven yeeres, in pain to suffer for every apprentice otherwise taken a moneths imprisonment without bail, and every such taking shall be void; and the party so taking shall be from thenceforth disabled to have any more apprentices then one.

VI. This Act shall not restrain a Felt or Hat-maker to employ his one children, nor extend to the making of Hats with Worsted yarn in *Normich*.

VII. Stat. 1. Jac. 17. The forfeitures and penalties given by the Statute of 8. El. 11. and also by this present Statute shall be divided betwixt the King and the prosecutor.

VIII. None shall make or cause to be made any Felt or Hat, unless he hath served seven yeares as an apprentice in Felt-making; neither shall he retein any other then journeymen who have lawfully served in that art, and apprentices lawfully bound to the same; nor have above two apprentices at once, nor those for less time then seven yeares; in pain to forfeit five pounds for every moneth he offends contrary to this Statute.

IX. None shall retein in the art of Hat or Felt-making any person born out of the Kings Dominions, in pain to forfeit five pound for every moneth he so continues him.

X. This Act shall not prohibit Parents lawfully exercising the said art, to employ their sons in their own houses, so that they be bound apprentices by Indenture for seven years, which may not expire, until they attain the age of 22 years.

XI. Felt-makers at the time of this Statute, and their servants may so continue, albeit they have not served seven years as apprentices.

Havens and Rivers.

I. Stat. 2. H. 6. 15. None shall fasten Trinks or other nets over Rivers to the destruction of the fric of fish, and disturbance of the common passage of vessel, in pain to forfeit 5 l. to the King; Howbeit they may use them in seasonable times, so they draw them as other fishers do their nets without fastning them, as aforesaid: And here every mans right of fishing is saved.

II. Stat. 4.H.7.15. The Major of *London* and his Successours shall have the like conservation and authority in all the Issues, breaches and ground overflowed, as far as the water ebbereth and floweth, grown out of the River of *Thames* (as touching the punishment for using unlawful nets and engines) as he hath within the same River.

III. Stat. 23.H.8.8. and 27.H.8.23. Two several Acts were made to the same effect, for preservation of the Havens and Ports of *Plimouth, Dertmouth, Tinnmouth, Falmouth, Fower*, and other Ports in *Devon* and *Cornwal*; and that none should labour in Tinworks neer the fresh Rivers of those havens; and those who labour in Tinworks should prevent the falling of stones and gravel into those Havens, upon a forfeiture; Also, if any should be troubled in the Stannery for executing this Act, such suits should be void, and if any should be imprisoned by the Stannery, he should be discharged by a Justice of Peace: saving the Liberties of the Stanneries; See the Statutes at large.

IV. Stat. 23.H.8.18. No Fish-garthes or other engines shall be set in *Oswe* or *Humber*; and with what nets men shall fish there, See also this Statutes at large.

V. Stat. 27.H.8.18. If any person do or procure any thing to be done to the annoying of *Thames*, making of shelpes there, by mining, digging, casting of dung, rubbish, or other thing therein, or otherwise howsoever; Or convey away any boards, stakes, timber-worke, Pillars, or other things from the banks or wals thereof, except it be to repaire them; or undermine any banks or wals there to the damage of the said river; he shall forfeit for every such offence 5 *l.* to the King and the Major and Commonalty of *London*, to be recovered by the said Major and Commonalty.

VI. This Act shall not restrain the taking of ballast for ships in the shelpes neer the *Thames*, nor to carry away the gravel, earth, or rubbish found in the said shelpes. See also this Statute at large.

VII. Stat. 31.H.8.4. The Major and Bailiffs of *Excester* may break all weares, and other lers in the River of *Exe*, and shall pay to the owners and Fermors of so much ground as they shall digge, the rate of 20 yeares purchase, or so much as shall be adjudged by the Justices of Assize in the County of *Devon*. See this also at large.

VIII. Stat. 34.H.8.9. None shall cast or unlade out of any ship or vessell in any Haven, Rode, Channel, or River, flowing or running to any Port, Town, City, Borough or other Town, any ballast, rubbish, gravell, or other wrake or filth, but onely upon the land above the full Sea-mark, in pain of 5 *l.* to be divided betwixt the King and the prosecutor.

IX. Stat.

I X. Stat. 27. El. 20. It shall be lawful for the Major and Commonalty of *Plimouth* to dig a trench 6 or 7 foot broad through all grounds lying betwixt *Plimouth* and any part of the River of Mew, for conveying that River thither, and to repair it, and to do all other things necessary for the same, they paying the owners and farmers of the grounds so to be digged the value thereof to be assessed by two Justices of Assize. Howbeit that water shall not be conveyed through any orchard, garden, or to the hindrance of any Mill without the owners consent.

X. Stat. 27. El. 21. An Act concerning *Oxford-haven* in *Suffolk*.

XI. Stat. 27. El. 22. An Act for making a new channel from the City of *Chichester* to the Suburbs there: See these two last Statutes at large.

XII Stat. 3. Jac. 18. An Act for the making of a new trench to convey the water from *Cadwell* and *Amwel* to *London*.

XIII. Stat. 4. Jac. 12 An Act for the explanation of the Stat. of 3. Jac. 18. and to give power to the Major and Commonalty of *London* to convey the said water in a trunk or vault.

Hawks and Hawking.

I. Stat. 34. E. 3. 22. A Hawke taken up shall be delivered to the Sheriffe, who after Proclamation made in the good Towns of the County (if challenged) shall deliver her to the right owner.

II. If the Hawke were taken up by a mean man, and be not challenged within four moneths, the Sheriffe shall retain her, satisfying the party for taking her: But if by a man of estate, who may conveniently keep an Hawk, the Sheriffe shall restore her to him again, he answering for the charge of keeping her.

III. If any do take away or conceal a Hawk, he shall answer the value thereof to the owner, and suffer two years Imprisonment, and in case he be not able to answer the value, he shall remain in prison a longer time.

IV. Stat. 37. E. 3. 19. He that steals and carries away an Hawk, not observing the ordinance of 34. E. 3. 22. shall be deemed a Felon.

Hexhamshire.

I. Stat. 14. El. 13. *Hexham* and *Hexamshire* with the liberties thereof shall be within the County of *Northumberland*.

High-ways.

I. Stat. 14. 15. H. 8. 6. An Act was made for the altering of the High-ways in the weld of Kent. See the Statute at large.

II. Stat. 26. H. 8. 7. The Statute of 14. 15. H. 8. shall extend to *Suffex*.

III. Stat. 37. H. 8. 3. An Act for the keeping of *Huntington* land near *Chester* in good repair. See the Statute.

IV. Stat. 1. M. Parl. 2. Cap. 5. Justices of the Counties of *Dorset* and *Summerfet* shall assesse those Countreys, towards the repair of the cawley lying betwixt *Shaftsbury* and *Sherborn*. See the Statute.

V. Stat. 2. 3. P. M. 8. The Constables and Churchwardens of every Parish shall yearly upon Tuesday or Wednesday in *Easter* week call together some of their neighbours, and then make choice of two within the Parish to be Surveyors of the High-ways the year following, who shall forthwith take that office upon them, in pain to forfeit 20 s. apiece: The said Constables and Churchwardens shall then also nominate four dayes betwixt that time and *Midsummer* to be set apart for the amendment of the High-ways, and shall give publique notice thereof in the Church the next Sunday after *Easter*.

VI. The officers and days being thus appointed; every one having a team, or a Plough-land either in arable or pasture, is chargeable to send two able men with a team and tools convenient to work eight hours upon every one of those four dayes, in pain to forfeit 10 s. for every day that default is made: And every Cotager is bound to work himself, or to finde a sufficient labourer to work for him, as aforesaid, in pain to forfeit 12 d. for every day.

VII. The Surveyors have power to appoint in stead of a team, two able labourers to worke, as aforesaid, who shall not fail, in pain that the party, who should send them, shall forfeit 12 d. for every day that either of them makes default.

VIII. Stewards in Leets have power to enquire after the breach of this Act, and to set fines upon such as make default at their discretion, and shall within six weeks after *Michaelmas*, deliver indented estreats thereof under their hands and seales, viz. one to the Bailiffe or High-Constable of the Liberty, and the other to the Constables and Church-wardens of the Parish, where the default was made.

IX. In default of presentment thereof in leets, the Justices of Peace in Sessions shall enquire thereof, and set such fines as they

or two of them (1. *Qu.*) shall think fit, whereof the Clerk of the Peace shall also deliver intended estreats under his hand and seal, in like sort, as aforesaid.

X. Their estreats shall be a sufficient warrant for the Bailiffe or Chief Constable to levie the said fines by way of distresse; and if no distress can be found, or the party do not pay the fine within 20 days after lawfull demand thereof, he or they shall forfeit double so much; All which fines and forfeitures shall be imployed towards the amendment of the High-ways.

XI. The Bailiffe or high-Constable, shall yearly betwixt the first of *March* and the last of *April*, render unto the Constables and Churchwardens, unto whom the other part of the estreats was delivered, a true accompt of the money received by him, in pain of 40 s. and the said Constables and Church-wardens have power to call the said Bailiffe or High-Constable before two or more Justices of Peace (1. *Qu.*) to pass his accompt, who have power to commit him until he shall have satisfied all the arrearages by him received, save 8 d. in the pound for his own fee, and 12 d. in the pound for the fee of the Steward or Clerk of the Peace, and in this case the succeeding Constables and Church-wardens have the same power, that their predecessors had.

XII. Stat. 5. *El.* 13. It shall be lawfull for the Surveyours to turne a Water-course (hurtful to the High-way) into any mans Ditch, or to take rubbish ready digged in or neer any mans quarter; and for default of gravel, &c. elsewhere, to dig, in any severall ground, so they forbear to dig in Houses, Orchards, Gardens and Meadows, or to make a pit above ten yards; but if they fill not the place again with earth (to be done at the costs of the Parish) within one moneth after it shall be so digged, they shall forfeit five marks to the owner of the ground, to be recovered by action of debt.

XIII. The hedges and ditches adjoyning to the High-way shall be kept low and scowred, and the trees and bushes growing in the High-way cut down by the owners of the grounds, which shall be enclosed by the said hedges and ditches.

XIV. Instead of the four days appointed by the Stat. of 2. 3. *M.* 8. 6. days shall hereafter be observed.

XV. The Surveyors or one of them shall present every default within one moneth after it shall be made to the next Justice of Peace, in pain of 40 s. and the said Justice of Peace shall certify the same presentment at the next General Sessions, in pain of 5 l. where the Justices shall have power to inquire of the default, and shall set such fine upon the Delinquent, as they or two of them (1. *Qu.*) shall think fit.

XVI. Here

XVI. Here the presentment of a Justice of Peace in Sessions upon his owne knowledge shall be a good conviction, whereupon the Justices in Sessions or any two of them (1 Qu.) may assesse a fine, as well as upon a verdict of 12 men: Howbeit, the Delinquent shall here be admitted to his traverse, as in other cases.

XVII. The fines assessed in Sessions shall be estreated by the Clerk of the Peace levied, accounted, and imployed, as by the Stat. of 2.3.P.M.8. is provided.

XVIII. Stat. 18.El.10. A Subsidie-man according to 5 li. in goods or 40. s. in lands, not chargeable towards the High-ways by the Stat. of 2.3.P.M.8. shall finde two able men to labour in the ways, as by the said Statute is appointed.

XIX. Every person having a Plough-land in several Parishes, shall be chargeable with a teame or draught in that Parish onely where he dwels: Howbeit having entire Ploughlands in several Parishes, he shall for every one of them finde a team in the several Parishes, where they lie, although he be not inhabitant there.

XX. Every person not scouring his Ditches, or not keeping low his hedges, trees, and bushes, according to the Statute of 5.El.13. shall forfeit for every such default 10 s. and he that scoures not his ditches in the ground next adjoyning to the ground, which is next the High-way, to the end the water may have the better passage over the said ground next the High-way, shall forfeit 12 d. for every rod so left unscoured.

XXI. None shall cast the scouring of his ditch into the High-way, and suffer it to lie there six moneths, in pain to forfeit 12 d. for every load, and it shall be lawful for the Surveyors to make sluices, where any such banks have been heretofore cast up.

XXII. The penalties forfeited upon this Statute shall be levied by the Surveyors for the time being by distresse and sale of goods, and shall be employed towards the amendment of the High-ways; but if the Surveyors neglect to do it within one year after the offence committed, the Constable and Church-wardens shall do it, according to the provisions of the before-recited Statutes.

XXIII. Justices of Assize, Oyer and Terminer, Justices of Peace in Sessions, Stewards in leets have power to hear and determine the said offences.

XXIV. Certain provisions for the repaire of Kings Ferry in the Isle of Shipperry, and of the ways leading thereunto.

XXV. Stat. 39.El. 19. An Act for the repair of the High-ways in the welds of Suffex, &c. used for Iron-works, wherein Justices of Peace have power to meddle. See the Statute at large. Holy.

Holy-dayes and Fasting-dayes.

I. Stat. 1.3.E.6.19. An Act prohibiting flesh to be eaten on fift-dayes : But see a greater penalty inflicted, 5 El. 5. *Infra* in Ships.

II. Stat. 5.6.E.3.3. Holy-dayes and Fasting-dayes are appointed : But 1. M. Parl. 1. Cap. 2. this Act is repealed : And afterwards by 1. Jac. 25.1. M. is repealed. And therefore Quære, whether it be now in force unlesse it had been revived by special words.

III. Stat. 1. Car. 1. All concourse of people out of their own Parishes for any pastimes whatsoever ; as also Bear-Baitings, Bull-baitings, Enterludes, Common Playes, and all other unlawful pastimes are prohibited on the Lords day.

IV. The offender against this law being thereof convicted by the view of one Justice of Peace (in the Countrey) or by a chief Officer (in a Corporation) or by his own confession, or by the oath of one witnesse before one such Justice or Officer, shall forfeit 3 s. 4 d. to the use of the poor where the offence is committed, to be levied by distresse and sale of goods (upon warrant from the same Justice or Officer) by the Constables or Church-wardens of the same parish, and in case no distress can be had, the offender shall sit in the Stocks three hours ; but this offence ought to be prosecuted within one moneth after it shall be committed : And if the Officer be questioned, he shall plead the General issue, and yet give special matter in evidence.

V. Stat. 3. Car. 1. No Carrier with his horse, Waggoner with his Waggon, Carman with his Cart, Waine-man with his Wain, or Drower with his cattel shall travel upon the Lords day, in pain to forfeit 20 s. for every such offence.

VI. No Butcher shall kill or sell any victual upon the same day, in pain of 6 s. 8 d.

VII. Here, the conviction of the offender and the levying and employment of the forfeitures are the same with those of the former Statute ; save onely, that here two witnesses are necessary, and the forfeitures may also be recovered by a prosecutor in the Sessions of the County or Corporation, where the offence was committed ; and in that case the Justice or Head-Officer may allow the prosecutor part of the forfeitures, but not above a third part.

VIII. This Action shall be prosecuted within six moneths ; And here also the officer may plead the general issue.

Homage and Fealty.

I. Stat. 17.E.2. When a Freeman doth homage to his Lord, of whom he holdeth in chief, he shall hold his hands between the hands of his Lord,, and say thus; *I become your man from this time forth for life, for member, and for worldly honour, and shall owe you my faith for the lands, that I hold of you, saving the faith that I owe unto our Lord the King, and to mine other Lords.*

II. When a Freeman doth fealty to his Lord, he shall hold his right hand upon a Book, and shall say thus; *Hear you my Lord R. that I. P. will be to you both faithfull and true, and shall owe my fidelity unto you for the land that I hold of you, and lawfully shall do such customes and services as my duty is to you at all termes assigned: so help me God and all his Saints.*

III. When a Villain shall do fealty unto his Lord, he shall hold his right hand over the Book, and say thus, *Hear you my Lord A. that I. B. from this day forth unto you shall be true and faithfull, and shall owe you fealty for the land, I hold of you in Villenage, and shall be justified by you in body and goods, so help me God and all his Saints.*

Honours.

I. Stat. 31.H.8.9. An Act for the making of the Mannor of Hampton Court (with divers Mannors and lands thereunto annexed) an Honour, and the King shall have a free chase and Warren there; also the offenders there shall be punishable as in any other Forrest or Chase; all which are to be in the survey of the Court of Augmentations; and Shipton is annexed unto the duchy of Cornwall in lieu of Bisleet and Weibridge taken away by this Act from the said Duchy.

II. Stat. 33.H.8.37. An Act for the making of the Mannor of Amptil in Com. Bed. an Honour, and for annexing divers lands in Com. Bed. and Buck. to the said Honour with other Articles concerning that mannor, which said lands are appointed to the survey of the Court of Augmentations.

III. Stat. 33.H.8.38. The like for the Mannor of Graßon in Com. North. See the Statutes at large

Hops.

I. Stat. 1. Jac. 18. None shall bring or cause to be brought into this Realm from forreign parts any hops deceitfully mixt with any soil whatsoever, in pain to forfeit the hops so brought in; neither shall any buy such hops (so brought in, or growing within the Realm) and imploy them in brewing, in pain to forfeit the value thereof: which said forfeitures shall be divided betwixt the King and the prosecutor.

Horners.

I. Stat. 4. E. 4. 8. No stranger shall buy English horns unwrought gathered or growing in London, or within 24 miles thereof: The Wardens of Horners in London may search all ware belonging to their Mystery, in London, and 24 miles thereof. And in Sturbridge and Ely Fairs; See the Statute at large. But note that this Statute is repealed by 1. Jac. 25. Howbeit it is recited and in part revived by 7. Jac. 14. as followeth.

II. Stat. 7. Jac. 14. The Act of 4. E. 4. 8. and every part thereof (except power of search in the Fairs of Sturbridge and Ely, and the limitation of such prices for hornes, as they were to be had for at the making of the said Act) shall be revived, and be of like force as if it had been repealed by 1. Jac. 25.

III. None shall sell English horns unwrought to any stranger, nor send any such hornes beyond sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the prosecutor.

Horses, Mares, and Cattel.

I. Stat. 20. R. 2. 5. None shall take the horse or beast of any to serve the King without the owners consent or sufficient warrant, in pain to be imprisoned, until he recompence the party grieved.

II. Stat. 11. H. 7. 13. None shall convey any horse out of the Realm without the Kings licence, in pain to forfeit the same; nor any Mare above the value of 6 s. 8 d. in pain to forfeit her, the owner thereof receiving 6 s. 8 d. for her at the time of the seizure, otherwise, that also is to be forfeited; And here, the Mare immediately after seizure is to be appraised and sold by the Chief Officer there, and her price (above the 6 s. 8 d.) is to be divided betwixt the King and the seizer; and the Kings part thereof to be delivered

livered to the Customer of the Port there.

III. None shall convey any Mare out of this land under three years old, or worth above 6 s. 8 d. and for those he may convey, he shall pay the usual Custome.

IV. For every mare (above that value) to be transported beyond sea by the Kings licence, the Custome shall be 6 s. 8 d. which shall be paid before she be shipped, in pain to forfeit her.

V. If any at the Port will for any such mare of under-value give 7 s. and pay for her, he shall have her, if she were not before taken by the Kings Officer, or the Kings licence for transporting her were not before obtained.

VI. This Act shall not prohibit any to transport beyond Sea (without the Kings licence) any horse for his own use, he making oath before the Customer or searcher of the Port, that he intends not to sell him.

VII. Stat. 17. H. 8. 6. Every one having inheritance or freehold in a Park kept for Deer, and a mile about, or his Fermor shall keep two mares apt and able to bear Foals, each of them being 13 hand high, from the lowest part of the hoof to the highest part of the shoulder, and each hand containing four inches, in pain of 40 s. for every moneth they want them: And if the Park be four miles about, they shall keep four such Mares upon the like pain.

VIII. If any of the Mares die, they have three moneths given them to provide another without danger of incurring the said penalty.

IX. They shall not suffer their mares to be leapt by any stoned horse under 14 hand high, in pain of 40 s.

X. The said forfeitures are to be divided betwixt the King and the prosecutor.

XI. This Act shall not extend to *Westmerland*, *Cumberland*, and *Northumberland*, nor the Bishoprick of *Durham*; nor to Parks, wherein the Inhabitants of the Towns next adjoyning have Common.

XII. Spiritual persons may sell the increase and breed of their Mares, notwithstanding this Act.

XIII. Stat. 32. H. 8. 13. None shall put to feed upon Forests or Common ground any stoned horse being above 2 yeares old, and not 15 hand high from the lower part of the hoof to the upper part of the whither (every hand containing 4 inches standard measure) in pain to forfeit the same horse.

XIV. It shall be lawful for any man to seize to his own use any stoned horse of lesser stature put to feed upon any such Common ground;

ground, as aforesaid, so that first (by the assistance of the Keeper of the ground, or Constable, Bailiff, Headborow, or other such Officer of the Parish adjoining) such horse be brought to the next pound, and there (by the officer, and in the presence of 3 other sufficient men) be measured and found lower than the Statute.

XV. Those that refuse to measure, or to be present at measuring of such horse, shall forfeit 40 s. a peece for every such default, to be divided betwixt the King and the prosecutor.

XVI. A horse, that makes an escape into such Common, shall not be questioned; so he stay not above 4 dayes after notice thereof given at the owners house, or in his Parish-church.

XVII. Forests and Common grounds shall be driven yearly at Michaelmas or within 15 dayes after, by the Keepers or Officers aforesaid, in pain of 40 s. who have also power to drive them at any other time of the year at their pleasure, such power likewise have the owners of such grounds: And here upon the drift, if any unlikely Tits shall be found, they shall be killed.

XVIII. Justices of Peace in Sessions have power to hear and determine these offences; but Stewards of Leets onely to take presentment of them, which they shall certifie in at the next generall Sessions, or to the *Custos Rotulorum*, in pain of 40 s.

XIX. None shall put upon Common grounds or Common fields any scabbed or infected horse, in pain to forfeit 10 s. to the Lord of the Lect.

XX. This Statute shall not restrain keeping of horses under the statute upon Commons, where Mares are not usually kept.

XXI. Stat. 1. E. 6. 5. None shall convey, sell or deliver any horse into Scotland or any other forreign Countrey (without the Kings licence, or for his service in the Warres) in pain to forfeit such horse, and 40 l. to be divided betwixt the King and the prosecutor.

XXII. Wardens of the Marches and Justices of Peace in Sessions have power to hear and determine these offences, and it shall be lawful for any of the Kings subjects to arrest and Imprison any *Scotch-man* or other, that shall convey any horse contrary to this Act.

XXIII. He that hath the Kings licence to convey horses into Scotland shall (before he so convey them) shew his licence to one of the Wardens of the Marches (to the end that the number of them may be Kalendred) in pain to forfeit his horses or the double value of them, to be divided betwixt the King and the prosecutor.

XXVIT. his Act shall not restrain the Warden of the Cinque-Ports

to give yearly 6 horses or geldings, and no more, to any person beyond sea, being with in the Kings Amity: Neither shall it impeach, the Master of the Kings horses in any Commodity, that concerns his office; nor any other for conveying beyond sea Mares not exceeding the value of 10 s.

XXV. Stat. 8. El. 8. The Statute of 32. H. 8. 13. shall not restrain the keeping of stoned horses of a lower stature in the Fen grounds of the Isle of Ely, and of the Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk, or Suffolk, so that the horses there, kept be not under 13 hand high.

XXVI. Stat. 21. Jac. 28. The Statute of 32. H. 13. shall not extend to the County of Cornwall.

Hospitals and Hospitallers.

I. Stat. 2. H. 5. Stat. 1. cap. 1. The Ordinary shall have power to inquire of and reform the foudation, estate and government of Hospitalls, viz. those of the Kings Patronage or foundation, by Commission, and shall return the Inquisitions thereof into the Chancery; But those of others, he shall do it *ex officio*.

II. Stat. 2. H. 6. 2. That the Hospital of St. Leonards in York may gather their Thraves of Corn, as formerly and upon denial have an action of debt for the same: See the Statute.

III. Stat. 13. El. 17. That the Earl of Leicester may found an Hospital in Warwick or Kenelworth for relief of poor and impotent people; which Hospital shall have capacity to purchase lands in any County of England, not exceeding 200 l. per annum, and not holden of the Queen by Knight-service in capite, or by Knight-service not in chief.

IV. Stat. 14. El. not printed, for the assuranc of all grants made and to be made for the poor in Hospitals, &c.

V. Stat. 18. El. Two Acts were made, but not printed, the one for the Hospital of Saint Crosse neer Winchester, and the other for one at Leicester.

VI. Stat. 27. El. Also two Acts (not printed) the one for the Hospital of Christ at Sherbourn in Bishoprick, and the other for that of Eastbridge in Canterbury.

VII. Stat. 39. El. 5. It shall be lawful for any person within 20 years next ensuing (by deed inrolled in Chancery) to erect and found an Hospital or house of correctinn, to have the same continue for ever, and for him his heirs and assignes, to place such head and members, and such number of poor, as they please, which said Hospital

Spital or house so founded shall be incorporated, and have perpetual succession for ever, which Corporation shall have power to purchase goods and chattels, also lands not exceeding the value of 200 *l. per annum*, nor held by Knight service, or in chief of the Queen; And all this without licence, or the writ of *ad quod damnum*, the Statute of Mortmain, or of any other to the contrary.

VIII. They shall also have power to sue and to be sued in all Courts, and to have such a common seal or seals as the Founder, his heirs or assigns shall appoint, by which they may seal all Instruments which concern the said Corporations.

IX. They shall also be visited and ordered by such person or persons as the said Founders, their heirs or assigns shall nominate, according to the Statutes of the foundation, being not repugnant to the Laws and Statutes of this Realm: Howbeit the Founder, his heirs and assigns upon the death or removal of any head or member, shall have power to place another in their stead.

X. Provided, that all leases and estates made by any such Corporation for above 21 years, and that in possession, and whereupon the accustomed yearly rent for the greater part of 20 yeares before shall not be reserved, and yearly payable, shall be void.

XI. The right of all persons (save of the Founders, their heirs, and successors) is saved.

XII. This Act shall not enable Infants, Femes covert without their husbands, or persons not of *sane memorie*, to make such Corporations or to endow the same.

XIII. No such Corporation shall be made, unlesse the same be (upon the foundation thereof) endowed with lands of the cleer yearly value of 10 *l. per annum*.

XIV. Provided, that the Corporations aforesaid shall not by force of this Act do or suffer to be done any thing in prejudice thereof: but such construction shall be made thereof as shall be most beneficial for the maintenance of the poor, and for avoiding of all devices which may be invented or put in ure contrary to the true meaning thereof.

XV. Stat. 39. El. 6. Commissions may be awarded to certain persons to inquire of lands or goods given to Hospitals, or other charitable uses misemployed, and to reform them; But this Act was afterwards repealed by 43. El. 4. saving for the execution of orders and decrees before made by Commissioners according to the Statute.

XVI. Stat. 43. El. 4. It shall be lawful for the Lord Chancellor or Keeper for the time being, and for the Chancellor of the
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Dutchy of *Lancaster* (within that precinct) to award Commissions into any part of the Realm respectively to the Bishop there and his Chancellor (if any at that time) and to other persons of good behaviour, authorizing 4 or more of them to inquire as well by the oaths of twelve or more lawful men, as otherwise, of all grants, gifts, assignments, limitations and appointments, and of all abuses and mis-employments of all lands, tenements, and hereditaments; and of all goods and chattels given, limited or appointed to charitable uses.

XVII. The Commissioners having called the parties interested, made inquiry by the oaths of such 12 men or more (unto whom lawful challenge may be made by the parties so interested) and set down such orders and decrees therein, that the things so given to charitable uses may be faithfully imployed, the orders and decrees so made (being not repugnant to the Statutes of the Founders or Donors) shall stand firm, and be executed accordingly, until they shall be altered by the Chancellor, Keeper, or Chancellor of the said Dutchy respectively upon complaint made to them thereof by the party grieved.

XVIII. This Act shall not extend to anything given to any Hall or Colledge in the Universities, or to the Colledges of *Westminster*, *Eaton*, *Winchester*, or to any Cathedral Church, or to any City or Town Corporate, or to any lands or tenements given to the uses aforesaid in any such City or Town, where there is a special Governour or Governours to govern things disposed to such uses, or to any Colledge, Hospital, or Free school, having special Visitors or Governours appointed by the Founders.

XIX. This Act shall not be prejudiciall to the Ordinary or his jurisdiction.

XX. None having the thing in question, or pretending title thereunto shall be either Commissioner or Juror.

XXI. This Act shall not impeach any purchaser (*bonâ fide*) of things given to charitable uses, not having notice thereof: Howbeit (in that case) the partie or parties (who have broken their trust in selling the same) their heirs, executors and administrators shall make satisfaction by the Decree of the said Commissioners, if they have left assets, or so farre as the assets so left shall extend.

XXII. The Commissioners shall not medle with any lands conveyed or come to the hands of H. 8. E. 6. Qu. M. or Qu. El. unless the grant to charitable uses were made since the beginning of *Queen Elizabeths* Raigne.

XXIII. The Orders, Judgments and Decrees shall be certified in

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the Chancery or Dutchy Court (as the case shall require) under the Commissioners Seals within such time as shall be limited in their Commissions; And the said Lord Chancellor, Keeper, or Chancellor of the Dutchy (respectively) shall take such order for the due execution of the said Decrees, as to them shall seem fit.

X X I V, If the partie against whom the Decree is past, conceive himself injured thereby; upon complaint thereof to the said Chancellor, Keeper, or Chancellor of the Dutchy (respectively) he shall have redresse, if there be cause; but if not, they shall award good costs against him for complaining without cause.

Hounfloe Heath.

I. Stat. 37. H. 8. 2. *Hounfloe Heath* in *Com. Midd.* which contains 4293 acres, and one rood of ground extendeth into several Parishes: so much thereof as is the Kings inheritance, and is meet for tillage, pasture, meadow, or other several ground, shall be of the nature and condition of Copihold land, or the same may be let by the Steward of the Mannor at will, or for 21 years; which lessee shall and may improve it.

Hull.

I. Stat. 33. H. 8. 33. The Statute of 27. H. 8. 3. (which was made for the taking away of certain customes, that the Major and Commonalty of *Hull* took for fish) is repealed: but by this they may take of every person priviledged for a last of Hering, 20 *d.* for an hundred of salt fish 4 *d.* and for a last of sprats 8 *d.* And of one not priviledged, for a last of hering 2 *s.* 4 *d.* for an hundred of salt fish 4 *d.* and for a last of sprats 8 *d.* as they did before.

Hundreds.

I. *Artic. super Chartas*, 14. 28. E. 1. Bailiwicks and Hundreds shall not be let to farms at over-great summes, whereby the people may be over-charged by making contributions to such Farms.

Hunters and Hunting.

I. Stat. 13. R. 2. 13, No lay man, who hath not lands of 40 *s.* or more, nor Clerk, who hath not 10 *l.* revenue *per annum* shall have

have or keep any greyhound, hound, dog, feret, net or Engine, to destroy Deere, Hares, Conies, or any other gentlemans game, in pain of one whole yeares imprisonment which Justices of Peace shall have power to inflict.

II. Stat. 19. H. 7. 11. None shall keep any Deer-Hayes or Buckstals (save in his own Forest or Parke) in paine to forfeit for every moneth, they are so kept; 40 s. neither shall any stalke with any bush or beast to any Deer (except in his own forest or parke) in pain of 10 l.

III. None shall take an old Heron (without his own ground) in pain of 6 s. 8. nor a young Heron, in pain of 10 s. for which forfeitures every man that will may sue by action of debt, or otherwise.

IV. Any two Justices of Peace in Sessions may examine the offenders aforesaid, and commit them to prison, till they shall have satisfied the said forfeitures, whereof the said Justices are to have the tenth part.

V. Stat. 14. 15. H. 8. 10. None shall trace, destroy or kill any Hare in the snow; And Justices of Peace in Sessions and Stewards in Leets have power to inquire of such offenders, and shall assesse upon every such offender 6 s. 8 d which penalty assessed in Sessions shall go to the King; but in a Leet, to the Lord thereof.

VI. Stat. 3. Jac. 13. None shall (without the owners licence) kill or chase any Deer or Conies in any Parks or inclosed grounds, in pain to suffer three moneths imprisonment, to pay treble damages to the party grieved, to be assessed by the Justices, before whom he shall be convicted, after the said three moneths expired, and to be bound with two good sureties to the good behaviour for seven years after, or to remain still in prison, till he finde such sureties; but here the party grieved (being satisfied) hath liberty to release the behaviour.

VII. Justices of Oyer and Terminer, Assize, and Peace in Sessions have power to hear and determine these offences, and Justices of Peace in Sessions (upon confession and satisfaction to the party grieved) have power to release the behaviour.

VIII. If any person not having 40 l. per annum, in lands, or 200 l. in goods, or some inclosed ground used for Deer or Conies worth 40 s. per annum, (at least) shall use any gun, bowe, or crosse-bowe to kill any Deer or Conies, or shall keep any buckstal, feret, dog, net, or other Engine, it shall be lawful for any person (having lands worth 100 l. per annum) to take such gun, &c. from any such person, and to convert the same to his own use.

IX. This Act shall not extend to any Park or enclosed ground hereafter to be made or used for Deer or Conies, without the Kings licence.

X. Stat. 7. Jac. 13. It shall be in the Election of the party grieved, whether he will take for satisfaction 10*l.* in money, or treble damages, as by the Statute of 3. Jac. 13. is limited.

Husbandrie.

I. Stat. 4. Jac. 11. The owners and farmers of Lands in *Marden, Bodenham, Wellington, Sutton St. Michael, Sutton St. Nicholas, Murton upon Lugge, and Pipe* in the County of *Hertford*, may inclose some part thereof; with divers other provisions for the better improvement of those places; For which see the statute at large.

II. Stat. 7. Jac. 18. All persons within *Devon and Cornwall* may fetch sea-sand, for the bettering of their land.

III. Boat-men may fetch sea-sand and cast it out of their boats, where it hath been used to be landed, and carry the same thorow usual wayes: See the statute.

Identitate nominis.

I. Stat. 37. E. 3. 2. IF the lands, goods, or chattels of any person (outlawed for want of a good declaration of his Sirname) shall happen to be seized by any of the Kings Officers, he may have a writ of *Identitate nominis*, to discharge them as hath been used in times past: And in such case, the Officer shall take security (without fee) of the party, to answer to the King the value of the things so seized, if he cannot discharge them: And if the Officer be attainted of doing otherwise, he shall pay double damages to the party grieved, and be also grievously punished to the King.

II. Stat. 9. H. 6. 4. A writ of *Identitate nominis* shall be maintainable by executors, as well as by the testator himself if he were living.

I. Stat. 18. El. 14. After verdict given in any Court of record there shall be no Stay of judgement or reversing thereof for want of form in any writ original or judicial, Count, Declaration, Plaint, Bill, Suit, or demand, or for want of any writ original or judicial, or by reason of any imperfect or insufficient returne of the Sheriffe, or other officer, or for want of any warrant of Attourney, or for any default in progresse upon or after *Aid prayer* or *Voucher*.

II. This Act shall not extend to any writ, declaration, or suit of appeale of felony or murder, or to any Indictment, or presentment of felony, murder, treason, or other matter, or to any processe upon any of them, or to any writ, bill, action, or information upon any penal Statute.

III. Provided, that all Attourneys in any suit, in a Court of Record shall deliver in the Warrant of Attourney in such suit, to be entred or filed of Record, as by the Law and Statutes of this Realm they ought to do, in pain to forfeit 10 l. to be divided betwixt the Queen and the officers where the warrant should have been so filed, and to suffer imprisonment by the discretion of the Justices of the Court where the default is made.

IV. Stat. 21. Jac. 13. After verdict given in any Court of Record, the Judgement thereupon shall not be stayed or reversed for any variance in forme onely between the original writ or bill and the declaration, Plaint, or demand, or for lack of an averment of the parties life, or lives, so as it be proved he or they be in life, or for that the *Venire facias*, *habeas corpora*, or *distringas* was awarded to a wrong officer, upon any insuffieiant suggestion, or that the *visne* was in some part misawarded, or sued out of more or fewer places, than it ought to be, so as some one place be right named, or for misnaming any of the Jurors, either in the surname or Addition in any of the writs, or returns thereof, so as *constat de persona*, or for want of a returne of any of the said writs, so as a pannel be returned and annexed thereunto, or for that the officers name is not set to the return so as it appear by proof that the writ was returned by him, or by reason that the Plaintiffe in any *Ejectione firme*, or in any personal action (being under Age) did appear by attourney, and the verdict passe for him.

V. This Act shall not extend to any writ, declaration, or suit of appeal of felony, or murder, nor to any indictment or presentment of felony, murder, or treason, nor to any processe upon any of them, nor to any writ, bill, action, or information upon any penal Statute.

Isle of Wight.

I. Stat. 4. H. 7. 16. None shall take more farmes then one in the Isle of Wight, which one shall not exceed ten marks in yearly value in pain of 10 l.

II If any have several farmes above that value, he shall keep one or more of them at his Election, so as what he so keeps, exceeds not that value.

III. Such as have been at charge with their farmes in fines or repaires shall be indemnified.

Incontinencie of Priests.

I. Stat. 1. H. 7. 4. The Ordinary shall punish Priests, Clerks, and religious men for incontinency by imprisonment according to the quantity and quality of their trespassse.

Incumbent.

I. Stat. 13. R. 2. 1. The Statute *de clero* 25. E. 3. 3. touching the examination of the Kings title to a Benefice. when he presenteth in anothers right, is confirmed, *whiche see in Advowson.*

II. When the King presenteth to a benefice full of an Incumbent, his presentee shall not be received by the Ordinary, until the King hath recovered his presentment by Law.

III. If the Kings presentee be received, and the Incumbent put out without processe, the Incumbent shall begin his suit within a year after the Induction of the said presentee.

IV. Stat. 4. H. 4. 22. Where an Incumbent is put out without due processe, he shall be at large to sue for his remedy by the Statute of 13. R. 2. 1. at what time he pleaseth within or after the year.

Indicavit.

I. Stat. 34. E. 1. No writ of *Indicavit* shall be granted before the suit hanging in the spiritual Court between the parties be recorded, and that the Lord Chancellor be certified thereof by the sight of the Libel,

Indictments.

I. *West. 2. Cap. 13. 13. E. 1.* Sheriffs, Bailiffs of Franchises, and others that take Inquests of Malefactors shall do it by (at least) twelve lawful men, who shall put their seals to such inquisitions, and the said Officers shall imprison such Malefactors.

II. If they imprison any without such Inquests, the Party grieved shall maintain an Action of False Imprisonment against them.

III. *Stat. 1. E. 3. Stat. 2. cap. 17.* Sheriffs, Bailiffs of Franchises, and others, who take Indictments, shall do it by Roll Indented, whereof one part shall remain with the indictors, and the other with him that takes them; so as one of the Inquest may have one part thereof to shew to the Justices when they come to make deliverance.

IV. *Stat. 25. E. 3. Stat. 5. 14.* After one is indicted of Felonie before the Justices of Oyer and Terminer, the Sheriffe shall be commanded to attach his body by a *capias*, and if the Sheriffe return a *non est inventus*, another *capias* shall issue out (returnable in three weeks) whereby the Sheriff shall have power to seize his chattels, and to keep them untill the said return, and then also, if the Sheriff return a *non est inventus*, an Exigent shall be awarded, and the chattels shall be forfeit; but if he yield himself, or be taken by the Sheriff or other Officer before the return of the second *capias*, his goods and chattels shall be saved.

V. *Stat. 11. H. 4. 9.* No Indictments shall be made but by Inquest of lawful men returned by Sheriffs, Bailiffs, of Franchises, or other Officers, who ought to do it, without having them nominated by other persons to the said Officers; And all Indictments otherwise found shall be void.

VI. *Stat. 3. H. 7. 1. pars inde.* Justices of Peace may take (by discretion) an enquest, (whereof every man shall have lands of the yearly value of 40 s. to enquire the concealments of a former Enquest, taken before them or others, of matters enquirable or presentable before them, and whereof complaint shall be made by bill.

VII. *Stat. 37. H. 8. 8. pars inde.* These words, *Vi & armis, viz. cum baculis, cultellis, arcubus, & sagittis*, or the like, shall not of necessity be put into any Inquisition or indictment, but they shall be adjudged good, notwithstanding those words are therein omitted.

Infections.

I. Stat. 12. R. 2. 13. None shall cause to be cast any garbage, dung, intrails, or any other annoyance, into the Ditches, Rivers, Waters, or other places within or neer any City, Burrough, or Towne, or the Suburbs thereof, in pain to be called by writ before the Chancellor; and (if found guilty) to be punished at his discretion.

Informers

I. Stat. 18. El. 5. An informer shall exhibit his suit in proper person, and pursue it by himself, or by his Attourney in Court, and that by way of Information, or original Action, and shall have no Deputy; and all this in pain of 10 l. and the Pillory.

II. A note of the time of exhibiting the Information shall be truly taken, and from thenceforth it shall be accounted to be of record, before which time no procelle shall issue out upon it.

III. The Clerk, that makes out the procelle, shall indorse the Informers name, and also the Statute, upon which the Information is grounded, in pain of 40 s.

IV. No Jury shall appear at *westminster* for a trial upon any penal Law, when the offence was comitted above 30 miles from *westminster*, except the Attourney General, for some reasonable cause require the same.

V. No Informer shall compound with any defendant before answer, nor then but by consent of Court, in pain of 10 l. and the Pillory.

VI. Where the informer delays or discontinues his suit, or otherwise is non-suit or overthrown, the Court shall assigne costs to the defendant, to be immediately levied by execution issuing out of the same Court.

VII. Justices of Oyer and Terminer, Assize, and Peace in their Sessions have power to hear and determine these offences.

VIII. This Act shall not restrain Actions brought for Maintenance, Champerty, buying of titles, or Imbracerie, nor any certain person, or body Politique, to whom any forfeiture or penalty is especially limited, nor certain Officers, who have lawfully used to exhibit informations.

IX. Stat. 29. El. 5. in fine. If any shall be sued upon any penal Law in the Kings Bench, Common Place, or Exchequer where such person

person isailable by law, or may appear by Attourney, the person so sued shall at the day contained in the first proceſſe appear by Attourney to defend the ſame, and ſhall not be urged to perſonal appearance, or to put in bail to answer the ſame.

X. Stat. 31. El. 10. The ſaid claule of 29. El. 5. ſhall onely extend to natural born Subjects or free Denizens, and none others,

Inrolments.

I. Stat. 6. R. 2. 4. Deeds, that were inrolled, and late torn or imbezeled by Rebels in the late Inſurrection, being exemplified ſhall be of the ſame force, as the deeds themſelves would have been, if they had been extant:

II. Stat. 27. H. 8. 16. Bargains and ſales, to raiſe an uſe of Inheritance or freehold, muſt be by deed indented and inrolled within fix moneths after the date thereof, in ſome Court of Record at *weſtmiſter*, or in the County where the land lieth, before the *Cuſtos Rotulorum*, two Juſtices of Peace, and the Clerk of the Peace, or two of them, whereof the Clerk to be one: And here the fee to be paid for ſuch Inrolment, when the land is not worth 40 s. per annum is 2 s, and when it is more 10 s. to be equally divided betwixt the Juſtice or Juſtices then preſent, and the Clerk of the Peace who ought to inrol them in parchment, and to deliver them unto the *Cuſtos Rotulorum* within one year after.

III. This Act ſhall not extend to lands, tenements, or hereditaments in Corporations where an Officer or Officers there have lawfully uſed to enrol deeds or other writings.

IV. Stat. 34. 35. H. 8. 22. All recoveries, deeds enrolled, and releaſes acknowledged or taken before any Officer or Officers of any Corporation; having authority to receive the ſame, ſhall remain in force, notwithstanding the Statute of 32. H. 8. 28 which ſeemeth in Leaſes.

V. Stat. 5. El. 26. All inrolments of ſuch writings indented, as are mentioned in the Statute of 27. H. 8. 16. of lands, &c. in the Counties of *Lancaſter*, *Cheſter* and the Biſhoprick of *Durham*, being inrolled within fix moneths after the Date thereof (*viz*, thoſe in *Lancaſhire*, in the Chancery at *Lancaſter*, or before the Juſtices of Aſſize there; thoſe in *Cheſhire*, in the Exchequer at *Cheſter*, or before the Juſtices of Aſſize there, and thoſe in the Biſhoprick, in the Chancery at *Durham*, or before the Juſtices of Aſſize there) ſhall be as good in law, as if they were inrolled in any of the Courts at *weſtmiſter*.

Intrusion.

I. *Stat. Reg. Cap. 13. 17. E. 2* When the Kings tenant in chief dies, and his heir enters into the land, before he hath done homage to, or received seisin of the King, he shall thereby gain no freehold; and if he die seised during that time, his wife shall not be endowed thereof; as it fell out in the case of the wife of *Mansel the Marshal*.

II. *Stat. 21. Jac. 14.* When the King, or any claiming under his title shall be out of possession, or not have received the profits of lands, &c. within the space of 20 years before any information of Intrusion brought to recover the same; In this case, the defendant shall plead the general issue (if he think fit) and shall not be pressed to plead especially, and shall also retain the possession thereof, until the title be found for the King.

III. Where an Information of Intrusion may fitly be brought on the Kings behalf, no *scire facias* shall issue, whereunto the subject shall be forced to a special pleading, and be deprived of the grace intended by this Act.

Ipswich.

I. *Stat. 13. El. 21.* The streets of *Ipswich* in the County of *Suffolk*, and of the Subburbs thereof shall be paved with good paving stone, and for ever repaired by the owners, Landlords or terre-tenants along, from and against their houses, lands and tenements adjoining to the street, viz. so much of the said street in length, as his house, lands, &c. so adjoining extend unto, and in breadth during all the length to the Channel, or to such place as the Channel there shall be appointed by the Bailiffes to extend unto, in pain to forfeit for every yard square not sufficiently repaired 8 *d.*

II. The Bailiffs of *Ipswich*, and the Portmen there, the Churchwardens, and four of every Parish shall have authority to tax upon every house, ground, and tenement there (free and copie) reasonable summes of money to be yearly paid, as well towards the finding of a convenient stipendary Minister within every Parish, as for the reparation of the Churches.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for Ireland concerning

coming divers matters intituled, *Ordinatio pro statu terre Hibernie.*

II. Stat. 17. E. 1. cap. 1. The Kings officers in *Ireland* shall purchase no land there without the Kings licence.

III. cap. 2. Kings officers in *Ireland* shall make no purveyance there, but by writ out of the Chancery there, or in *England*, and that in time of necessity onely, and by the advice of the Council there.

IV. cap. 3. All kind of Merchandizes may be exported out of *Ireland*, except to the Kings enemies, and if any officer restrain them, he shall satisfie double damages to the party grieved, and be also punished by the King.

V. cap. 4. The fees for every bill of grace in *Ireland* under the seal of the Justice there, shall be 4 *d.* for the bill, and 2 *d.* for the writing thereof.

VI. cap. 5. The Marshals fee for a prisoner, when he shall be delivered, is 4 *d.*

VII. cap. 6. No pardon of the death of a man, or other felony, or for flying for the same shall be granted by the Justices there, but onely at the Kings Command and under his Seales.

VIII. cap. 7. No officers there shall receive any original writ, which is not sealed by the Seal of *Ireland*, or by the Exchequer-Seal there, of things concerning that Court.

IX. cap. 8. The Justice of *Ireland* shall not delay or adjourn assizes of *Novel disseisin* there, save onely in the County where he is, and while he shall remain there.

X. Stat. 34. E. 3. 17. All kinde of Merchandize may be exported and imported out of, and into *Ireland*, as well by Aliens as Denizens.

XI. Stat. 34. E. 3. 18. All persons, who have lands and possessions in *Ireland*, may freely import and export their Commodities thither and from thence without Impeachment.

XII. Stat. 1. H. 6. 3. All *Irish men* shall avoid the Kingdom, except Graduates, Beneficed men, Lawyers, having Inheritance in *England*, and English parents, religious persons, professed Merchants, Burgessees, and others inhabitants of good fame, and persons married in *England*, and all they shall finde suretie for the good abearing.

XIII. No *Irish man* shall inhabit here in the Universities, or elsewhere, without a testimonial under the seal of the Lieutenant, or Justices of *Ireland*, (testifying that he is of the Kings obeysance) to be delivered to the Chancellor here, in pain to be punished as a Rebel.

XIV. No *Irish man* shall be Head or Governour of any Hall or house.

XV. Stat.

XV. Stat. 2. H. 6. 8. Irish men comming to live in *England* shall give surety for their good abearing, viz. In the Universities, to the Chancellors, in Counties, to the Justices of Peace, and in Corporations, and other Liberties, to the Head-officers respectively.

XVI. Stat. 16. 17. Car. 30. An Act for a speedy contribution and loan towards the relief of the Kings distressed Subjects of the Kingdome of *Ireland*. See the Statute at large.

XVII. Stat. 16, 17. Car. 33. An Act for the speedy and effectual reducing of the Rebels in *Ireland* to their due obedience to the King and the Crown of *England*: and cap. 34. 35. and 37. Certain other Additional Acts were made for the same purpose. All which see at large.

Iron

I. Stat 28. E. 3. 5. Iron made in *England*, or brought into *England* and sold, shall not be exported, in pain to forfeit the value thereof to the King.

II. Justices assigned have power to inquire of Labourers: And other Justices to be assigned by the King, shall also have power to inquire of such as sell Iron at too dear a price, and to punish them according to the quantity of the trespass.

Judgement.

I. Stat. 14. E. 3. Stat. 1. 5. A Prelate, two Earls and two Barons shall have power by the Kings Commission to hear (by petition) complaints for delay of entring Judgements, and to call before them the Justices and Records, whereof such complaint shall be made, and calling to them the Chancellor, Treasurer, the Justices of the one Bench, or the other, and others of the Kings Council (as many as they shall think fit) shall give judgement thereof, and then the Records shall be remanded together with the judgement which shall be immediately entred accordingly.

II. In case the matter be too difficult, it shall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Justice may be increased or diminished, as need shall require, and when they shall enter into their offices, they shall make oath duely to serve the King and his people.

IV. Stat. 4. H. 4. 23. Judgements given shall continue, and the parties, for whom they are so given, and their heirs shall be in peace until they shall be reversed by Attains or error, if any be.

Jurist

Jurisdiction.

I. *Britt. Cleric, cap. 6. 9. E. 2.* Albeit a case be debated, and have judgement in the spiritual Court, yet the Kings Court may afterwards discusse the same matter, as the partie shall think expedient for himself.

II. *Stat. pro clero, 25. E. 3. Stat. 3. cap.* Conifance of a voidance of Benefices belongs to the Ecclesiastical Judge, and not to the Temporal.

Juris Utrum.

I. *West. 1. cap. 24. 13. E. 1.* A writ of *Juris Utrum* shall be granted to trie whether free almes belong to one Church or another, in case where they are transferred from one Church to another.

Jurors.

I. *Parlb. cap. 14. 52. H. 3.* Such as have Charrers of exemption not to be impanelled upon Juries, shall (notwithstanding their privilege) be sworn upon great Assizes. Perambulations, in deeds and writings of covenants (where they be named for witnesses) and in Attraints, and when their oathes are so requisite, that without their Justice cannot be administered.

II. *West. 2. cap. 38. 13. E. 1.* No more Jurors shall be summoned in one Assize then 24. Also old men above the age of 70. or sick, or diseased at the time of the summons, or not dwelling in the Countrey shall be put in Juries of petit Assizes, neither shall any be put in Assizes or Juries, that have not land worth 20 s. *per annum*. And if the Assizes or Juries be taken out of the County, their revenue shall be 40 s. *per annum*, at least, except such as be witnesses to deeds or other writings, and be able to travel.

III. This Statute shall not extend to great Assizes, where many times Knights are to be impanelled; for they (by reason of their scarcity) may serve, albeit they dwell out of the Countrey, so they have land in the County for which they serve.

IV. No Sheriff, Under-sheriff, or Bailiff shall offend against this Law, in pain to answer damages to the party, and to be amerced to the King,

V. Justices of Assize have power to heare and determine these offences.

VI. Stat. 21. E. 1. Stat. 1. None shall be impannelled to serve out of their proper Countrey unlessse they have lands worth 5 *l. per annum* at least; nor in the County, unlessse they have lands worth 40 *s. per annum*.

VII. This Statute shall not extend to Juries taken before Justices errant, nor to Corporations; but that they may do, as in times past.

VIII. Artic. Super Cart. cap. 9. 28. E. 1. None shall be impannelled, but as is ordained by Statute, and they shall be next neighbours, most sufficient, and least suspicious; in pain that the Officer who doth otherwise, shall answer double damages to the party grieved, and be grievously amerced to the King.

IX. Stat. 5. E. 3. 10. If a Juror take a bribe of either party, and be thereof attainted, he shall serve no more of any Jury, be imprisoned, and ransomed at the Kings will; and the Justices, before whom he serves, shall have power to hear and determine this offence according to this Statute.

X. Stat. 25. E. 3. Stat. 5. cap. 3. No Indictor shall be put upon the Inquest for the deliverance of the Indictor of felonie or trespassse, if he be challenged by the Indictor for that cause.

XI. Stat. 34. E. 3. 4. Sheriffs and others shall array their panels of the next people not suspected nor procured, in pain to be punished by the Justices, that take such Inquests both to the King and the party grieved, according to the quantity of the trespassse and damage.

XII. Stat. 34. E. 3. 8. If any of the Jurors be accused by either of the parties for taking a bribe to give his verdict, the Justices may presently trie it by a Jury then also to be taken.

XIII. If it be prosecuted by any other then one of the parties, he shall have the fine; but if by one of the parties, he shall recover damages by the assessement of the Inquest so taken. The suit may also be prosecuted before other Justices in forme aforesaid.

XIV. Stat. 2. H. 5. Stat. 2. cap. 3. None shall be admitted to passe in an Inquest upon trial of the death of a man, or betwixt party and party in any plea real or personal, whereof the debt or damage declared amounts to 40 marks, unlessse he have lands or tenements of the yearly value of 40 *s.* besides reprises, Challenge thereof being made by the party.

XV. Stat. 8. E. 4. 3. Every Juror, impannelled and returned within *Middlesex* in any of the Courts at *Westminster*, at every fourth day of the return thereof shall be called, who then appearing

ing, his appearance shall be recorded, and he shall not be amerced nor lose Issues that day in that suit.

XVI. No default, essoine, or other delay of either partie (plaintiff or defendant) in any personal action (by the law heretofore used) shall by this ordinance be prejudiced, or taken away in any manner; but shall be adjudged, and allowed in as ample manner, as they were before the making of this Act.

XVII. Stat. 1. R. 3. 4. No Bailiffe or other officer shall returne or Impanel any person upon any Inquiry at the Sheriffs turn, but, such as are of good name and fame, having lands and tenements in the same county, viz. Freehold of 20 s. and Copihold of 26 s. 8. d. per annum in pain that the Bailiffe or other officer shall forfeit for every person so returned or impanelled (not of the sufficiency aforesaid 40 s. for every time, and the Sheriff 40 s. more, which said forfeitures may be recovered by action of debt, and shall be divided betwixt the King and the prosecutor.

XVIII. Stat. 4. H. 8. 3. For Issues lost by Jurors in London, given to the Major and Sheriffs there by the Statute of 11. H. 7. 21. (which see in *Attaint*) the said Major and Sheriffs and their successors may distrain respectively, viz. the Major for his, and the Sheriffs for theirs.

XIX. The Sheriffes of London have power to returne pannels of Jurors in suits depending in any of the Courts at *Westminster* and triable in London, being Citizens, and having goods of the value of 100 Markes, who shall serve and be sworn in like manner as if they had lands and tenements of 20 s. per annum.

XX. The Sheriffs of London shall return upon the first distress upon every Juror 20 d. and upon the second distress 40 d. and upon every other distress after that, the double; until a full Jurie appear and be sworn, in pain of 10 l. to be divided betwixt the King and the prosecutor.

XXI. Stat. 5. H. 8. 5. The Statute 4. H. 8. 3. (as to the issues to be set upon Jurors) shall be understood onely of writs of distress before Justices or Justice of *Nisi prius*, in suits depending in the Courts at *Westminster*, and triable at *St. Martins le grand* in the City of London, and not of other writs or procceses issuing out of the said Courts,

XXII. Stat. 23. H. 8. 13. Trial of felons in Corporate Towns may be by free-men of the same Corporation worth 40 l. in goods, albeit they have no freehold.

XXIII. This Act shall not extend to any Knight or Esquire, dwelling or resorting in or to any such Town.

XXIV. Stat.

XXIV. Stat. 35. H. 8. 6. Where such persons as should passe upon the trial of any issue in any of the Courts at *westminster*, ought to have Freehold worth 40 s. per annum. The writ shall be in this form, *Rex, &c. precipimus, &c. quod venire facias coram, &c. 12 liberos & legales homines, &c. Quorum quilibet habeat 40 solid. terr. tenem. vel redd. per annum ad minus per quos rei veritas, &c.* But when that is not requisite, the clause, *Quorum quilibet habeat 40. solid. terr. tenem. vel redd. per annum ad minus* shall be omitted.

XXV. Upon every *venire facias*, that hath the said clause, *Quorum quilibet, &c.* the Sheriffe or other Officer shall not returne any having lesse then 40 s. per annum freehold, out of ancient Demesne, and in the same County, where the issue is to be tried in pain to forfeit for every one otherwise returned 20 s. They shall also return six Hundreds at least, if there be so many in the Hundred where the venue lieth, in pain to forfeit for every Hundreder not so returned 20 s. And in every such writ, wherein that clause is omitted, they shall not return any, unlesse he may dispend some lands or tenements, out of ancient Demesne, and in the said Hundred, and also six Hundreders there upon the like pains.

XXVI. Upon every writ of *Habeas corpora*, or *Distringas*, with a *Nisi prius*, The said Sheriff or other Officer shall return Issues upon every man as followeth, viz. upon the first writ 5 s. upon the second, 10 s. upon the third, 13 s. 4 d. and upon every other writ afterwards, 26 s. 8 d. in pain of 5 l.

XXVII. In every such writ of *Habeas corpora*, or *Distringas*, if a full Jury appear not, or being full, fall short by challenge, the Iustices (upon request of either party) may command the Sheriff or other officer to name so many others then present, as may make the Jury full, who shall be added to the former pannel, and their names annexed thereunto.

XXVIII. The parties may have their challenge to these *Tales de circumstantibus*, and the Justices may proceed to trie the issue by them (together with the others returned) as well as if such *Tales* had been returned upon such *Habeas corpora*, or *Distringas*, and in such case the trial shall be as effectual, as if it had been tried by 12 of the Jurors returned.

XXIX. If any of the *Tales* being present, do not appear, or after appearance withdraw himself, the Iustices may set a fine upon him, to be levied, as issues of Jurors use (by the Common Law) to be levied.

XXX. Albeit the Jury be made full by the *Tales*, yet the Jurors,

that made default, shall lose issues, as if the Jury had remained for want of Jurors.

XXXI. Upon a reasonable excuse (for default of a Juror) proved by two witnesses before the Iustices, they may discharge the issues lost, and (in that case) the Sheriffe or other Officer shall not incur the penakty for not returning Issues: Also upon the not coming of the Iustices the jurors shall be discharged of their issues, and the Sheriffe or other Officer of their penalties.

XXXII. If upon any *Habeas corpora* or *Distringas* any juror be not lawfully summoned or distrained, the Sheriff or other Officer shall lose double the issues returned upon such juror.

XXXIII. The said forfeitures (not issues) shall be divided betwixt the King and the prosecutor.

XXXIV. The right of others to issues so forfeited is saved.

XXXV. This Act shall not extend to any Sheriff or Minister of a Corporation, so that they return like issues, as before are limited.

XXXVI. Stat. 4.5.P.M.7. A *Tales de circumstantibus* may (upon request for the King or Queen by any authorized thereunto, or assigned by the Court, or (upon request) by the prosecutor or his Attorney, and by the command of the Iustices of Assize or *Nisi prius*) be granted in a suit commenced upon a penal Statute.

XXXVII. The Stat. of 35.H.8.6. shall be interpreted to give like advantages to the King, Queen and prosecutor, as it doth there to the Plaintiffe, as if such suits for the King had been there particularly mentioned.

XXXVIII. Stat. 5. El. 25. *Tales de circumstantibus* shall be grantable in the 12 Counties of wales, and the Counties Palatine of Chester, Lancaster, and Durham, being of the same effect with the Statute of 35.H.8.6. See the Statute at large.

XXXIX. Stat. 14. El. 9. In case the Plaintiffe or Demandant forbear or refuse to pray a *Tales*, it shall be granted (by the Justices of *Nisi prius* in England; or those of Oyer, or Assize in wales, Chester, Lancaster, and Durham,) at the prayer of the defendant or tenant; and that as well in suits upon penal Lawes, as upon other trials.

XL. Stat. 27. El. 6. The ability of jurors (returned upon trial) ordained (by the Statutes of 2.H. 5. Stat. 2. cap. 3. and 35.H. 8. 6.) to be 40s. *per annum*, is increased to 4l. *per annum*, upon the like pain of 20s. to be forfeited by the Sheriffe or other Officer, for every Juror otherwise returned; and in that respect the writ shall be *Quorum quilibet habeat quatuor libras, &c.*

X L I. Here the issues to be returned shall be, as followeth, *viz.* upon the first writ 10 s. upon the second 20 s. upon the third 30 s. and the double of 30 s. afterwards, until a full Jury be sworn, or the procces otherwise cease, in pain that the Sheriff or other officer shall forfeit 5 l. for every Juror returned with lesse issues set upon him.

X L I I. Upon Issues lost by a failer of lawful summons the Sheriff or other Officer shall forfeit the double Issues.

X L I I I. The Sheriff or other Officer that takes a bribe, and agrees to take it (directly or indirectly) for the sparing of a Juror shall forfeit 5 l. to be divided betwixt the Queen and the prosecutor.

XLIV. Upon any trial two Hundreders shall be hereafter deemed sufficient notwithstanding any challenge hereafter to be made against the same.

X L V. All lawful challenges shall be admitted, notwithstanding this Act, neither shall it extend to Juries in Corporations or Wates.

Justice, and right, and Justices.

I. Stat. 2. E. 3. 8. No command shall be made under the great or little seal, to disturbe or delay common right, and the Justices shall proceed to do right, notwithstanding such commands.

II. Stat. 18. E. 3. 1. The oath to be given to Justices, when they take their places, to this effect, *viz.* to serve the King in their Offices, warn him of any damage, do justice, take no bribe, give no counsel where he is a party, maintain no suit, nor den right (though by command from the King) procure the Kings profit, and to be answerable to the King in body, lands, and goods, if found in default.

III. Stat. 20. E. 3. 1. The Kings Justices shall do right to all without respect of persons, notwithstanding the Kings letters or commands to the contrary, wherewith (if any be) they shall acquint the King and his Council therewith; they shall take no fee of the King, nor give counsel where he is a party; and if they do amiss, they shall be at the Kings will in body, lands and goods.

IV. Stat. 20. E. 3. 2. The like is commanded to the Barons of the Exchequer, and to dispatch businesses depending before them without delay.

V. Stat. 20. E. 3. 3. Justices assigned by Commission, and of

Justices in Eyre.

Affize, and Gaol-delivery, and their associates shall make such oath, as shall be enjoyned them by the Kings Council or the Chancery, before their Commissions be delivered unto them.

VI. Stat. 1. Jac. 10. None shall take any money or promise for the report of an order or cause referred unto them by any of the Kings Judges or Court (directly or indirectly) in pain of $\text{5} \text{ l.}$ and to lose his office or place in the same Court.

VII. The forfeiture is to be divided betwixt the King and the party grieved; if he will sue for it; but if not, then betwixt the King and any other prosecutor.

VIII. This Act shall not prohibit the Clerk from taking for his pains in writing the Report, viz. 12 d. for the first sheet, and 2 d. a piece for the rest.

Justices in Eyre.

I. Stat. 24. 52. H. 3. Justices in Eyre shall not amerce Townships, because all of twelve years of age came not before the Sheriffs and Coroners, to make enquiry of Robberies, House-burnings, and other offences against the Crown, so that a full Enquest of those Towns appear; Howbeit, upon an Enquest for the death of a man all of 12 yeares of age ought to appear, unlesse they have some reasonable cause of absence.

II. West. 1. cap. 18. 3. E. 1. The common fine and amerciamment of the whole County in Eyre of the Justices for false judgement or other trespass shall hereafter be assessed by the said Justices upon the oaths of Knights and other honest men, and not by Sheriffes and Barretters, as in times past hath been used; And the said Justices shall cause the parcels thereof, to be estreated into the Exchequer, and not the whole summe onely.

III. West. 2. cap. 10. 13. E. 1. Justices in Eyre (in their Circuits) shall appoint a certain time, before which all writs shall be delivered in, and then the Sheriff shall certifie the Chief Justice in Eyre, how many writs he hath, and what they concern; after which time they shall not be received, or (if received) shall have no force, except writs, that abate during the Circuit, which may be amended; also except writs of Dower of men dying within the summons of the circuit, Affizes of Darrein presentment, and Quare impedit, (of Churches vacant within the said summons) and of Novel disseisin.

Justices

Justices of Assize.

I. Stat. Justic. Assisarum. Incerti temporis. There shall be eight circumspect and discreet Iustices assigned to take Assizes, Iuries, and Certificates throughout the Realme, viz. Two, in the Counties of York, Northumberland, Westmerland, Cumberland, Lancashire, Nottingham, and Darby: Two in the Counties of Lincoln, Leicestershire, Warwick, Stafford, Salop, Northampton, Rutland, Gloucester, Hereford, and Wigorne: Two in the Counties of Cornwall, Devon, Somerset, Dorset, Wiltshire, Southampton, Oxon, Berk, Sussex, and Surrey: And two in the Counties of Kent, Essex, Suffolk, Norfolk, Cambridge, Huntington, Bedford and Buckingham.

II. Assizes, Juries and enquests of Middlesex shall be taken before the Justices of the Bench.

III. The said eight Iustices so assigned shall daily attend for that purpose at such places as they shall think fit, and most for the ease of the people; And writs of Assizes, Iuries, or Recognizances shall be granted to be taken before none but them, save of the special grace of the King.

IV. Stat. 20. E. 3. 6. Iustices of Assize have power to enquire of the misdeamours of Sheriffs, Escheators, Bailiffs, and other Ministers, Imbraceors and Iurors, and to punish such as be found guilty; And the Chancellor and Treasurer are to hear all complaints thereof, and to apply speedy remedy thereunto.

V. Stat. 6. R. 2. 5. Iustices of Assize, and Gaol-delivery shall hold their Sessions in the chief Towns of every County, where the Shire-Courts there use to be holden.

VI. Stat. 8. R. 2. 2. No man of Law shall be Iustice of Assize or Gaol-delivery in his own Countrey, and the Chief Iustice of the Common Bench shall be Assigned amongst others to take Assizes, and to deliver Gaoles, but as to the Chief Iustice of the Kings Bench, it shall be as for the most part of 100 yeares last past hath been wont to be done.

VII. Stat. 11. R. 2. 11. Because it was found inconvenient to the subject, that Iustices of Assize should be bound to hold their Sessions, where the Shire-Courts use to be held, the Chancellor (by the advice of the Iustices) shall have power to order that otherwise, as need shall be, notwithstanding the Stat. of 6. R. 2. 5.

VIII. Stat. 20. R. 2. 3. No Lord nor other shall sit upon the Bench with the Iustices of Assize, in pain of great forfeiture to the King, and the Iustices are there commanded not to suffer it.

I X. Stat. 11. H. 4. 3. Justices of Assize shall deliver into the Treasury the Records of Assizes of *Novel disseisin*, *Mortdancer*, and *Certifications*, every second year after the plea determined and judgement given, and those Records shall not be amended or impaired after judgement given and recorded.

X. Stat. 14. H. 6. 3. The Sessions of the Justices of Assize and Gaol-delivery in *Cumberland*, shall be holden (in the time of peace and truce) in the City of *Carlisle*, and not elsewhere, according to the Stat. of 6. R. 2. 1.

X I. Stat. 33. H. 8. 24. No Justice or other learned in the Law shall be Justice of Assize in the County where he was born or doth inhabit, in pain of 100 l. to be divided betwixt the King and the prosecutor.

X I I. This Statute shall not extend to the Clerk of Assize, or to any Associate, or to any such Justice of Assize.

X I I I. Neither shall these words *Justices of Assize*, or others learned in the Law, extend to Officers in Corporations, but that they may be Justices of Assize of fresh force or other Assizes in the place, where they dwell or were born.

X I V. This Act shall not be prejudicial to any Justice of the one Bench or the other for hearing and determining Assizes in those Courts, nor to any Justice, that shall take any Assize by adjournment for difficulty thereof.

X V. The Clerk of Assize shall not (during the Sessions) be of Council to any within the Circuit, otherwise then as to his Office appertains, in pain of 10 l. to be divided betwixt the King and the party grieved.

X V I. This Act shall not extend to Justices Clerks, nor Clerks of Assize within the Duchy and County Palatine of *Lancaster*.

Justices of both Benches.

I. Stat. 1. cap. 45. 3. E. 1. One plea shall be decided by the Justices of the Kings Bench, before another be commenced; yet *Essoins* shall be entred and allowed, but let none presume to absent himself at the day to him limited.

I I. Stat. 10. H. 6. Statutum per se. The Justices, Serjeants, and the Kings Attourney shall be paid their wages by the Treasurer of England at *Easter* and *Michaelmas* by even portions without any other suit: But this Statute is not in the Printed Book of Statutes.

Justices of Gaol-delivery.

I. *Stat. de finibus levatis, Cap. 3. 27. E. 1.* Justices of Assize presently after the Assizes taken shall deliver the Gaoles, but if one of them be a Clerke, the other that is lay associating unto him one of the most discreet Knights of the County, shall deliver the Gaoles.

I I. These Justices shall then also inquire, whether Sheriffs or any other have let out by plevin any prisoners not pleviable, or have offended in any thing against the *Stat. of west. 2. 15. 13. E. 1.* and shall punish them according to the forme of the said Statute.

I II. *Stat. 2. E. 3. 2.* Justices of Gaol-delivery & Oyer and Terminer procured by great men shall not be made against the forme of the Statute 27. E. 1. 3. and Assises, Attaints, and certifications shall be hereafter taken before Justices commonly assigned, being good and lawful men and having knowledge in the law, and before none other, according to the Statute of *west. 2. 29. 13. E. 1. which see in Oyer and Terminer 1.*

I V. *Stat. 4. E. 3. 2.* Good and discreet persons shall be assigned in all Shires of England to take Assizes, Iuries, and Certifications, and to deliver the Gaoles three times in the yeare at least.

V. There shall also be assigned good and lawful men in every County to keep the peace, and such as shall be indicted or taken by them and are not baileable by law, shall not be let to main prise by the Sheriff or any other minister, nor otherwise delivered then at the Common Law.

VI. Justices of Gaol-deliverie shall have power to deliver the Gaoles of those that stand indicted before the keepers of the Peace, which Keepers shall send those Indictments before the Justices of Gaol-delivery, who shall have power to inquire of and punish Sheriffs, Gaolers, and others, which do any thing against this Act.

VII. *Stat. 17. R. 2. 10.* In every Commission of Peace two men of law of the same County shall be assigned to go and proceed to the deliverence of Theeves and Felons.

Justices of Peace.

I. *Stat. 1. E. 3. Stat. 2. 16.* The King will, that in every County Good men and lawful which be no maintainers of evil or Barretors in the Countrey, shall be assigned to keepe the Peace.

I I. *Stat. 4. E. 3. Stat. 1. Cap. 2.* Two or three of the best of

reputation in the Counties shall be assigned keepers of the Peace by the Kings Commission, who (together with other wise and learned in the Law) shall have power to heare and determine Felonies and Trespases done in the same Counties, and to inflict punishment according to Law and reason.

III. Stat. 34. E. 3. 1. There shall be Assigned in every County for the keeping of the Peace, one Lord, and 3 or 4 of the most worthy of the County with some learned in the Law, who shall have power to arrest and chastise Rioters, Barretors, and other Offenders, and also to imprison and punish them according to Law, and by discretion and good advisement; also to bind people of evil fame to the good behaviour, and to heare and determine Felonies and trespases done in the same Countie according to Law.

IV. Writs of *Oyer and Terminer* shall be granted according to the Statutes thereof made, and the Justices thereof shall be named by the Court and not by the partie.

V. All general Inquiries heretofore granted within any Seigniories or the mischiefs done thereby) shall from henceforth cease and be repealed.

VI. The Fines imposed by Justices of Peace for trespases shall be reasonable and just.

VII. Stat. 36. E. 3. 12. In the Commissions of Justices of Peace and labourers expresse mention shall be made, that they shall keep their Sessions 4 times in the year, *viz.* One within the *Utas* or *Octabis* of *Epiphany*, the second within the second week of *Lent*, the third betwixt tue feasts of *Pentecost* and *Saint John Baptist*, and the fourth within eight days of *Saint Michael*.

VIII. Stat. *Canterb. Cap.* 10. 12. R. 2. In every Commission there shall be but 6 Justices assigned, who shall keep their Sessions every quarter at least, in pain to be punished at the discretion of the Kings Council.

IX. Every Justice of Peace shall have for his wages 4 s. a day, and the Clerk of the Peace 2 s. for so long time as the Sessions shall last, to be paid by the Sheriff out of the fines and amerciaments arising at the same Sessions, whereunto Lords of Franchises shall be also contributarie after the rate of their part of such Fines and amerciaments.

X. No Steward of any Lord shall be assigned in any commission of P. neither shall any association be made to the Justices of Peace after the first commission.

XI. Judges and Serjeants at Law shall not be bound to attend the Sessions, but when they can conveniently intend it.

XII. Stat.

XII. Stat. 13. R. 2. Stat. 1. 7. Notwithstanding the Statute of 12. R. 2. 10. which prohibits the Stewards of Lords to be Iustices of the Peace, the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in Commission, and sworn to put in execution without favour all Statutes, which concern their Office.

XIII. Stat. 14. R. 2. 11. There shall be 8 Iustices of Peace assigned in every county:

XIV. Double estreats of the fines and amerciaments arising at the Sessions shall be made containing the names of all the Justices there present, and the number of days they sit, and one of them delivered to the Sheriff out of which he is to answer the Justices their wages by indenture, according to which the Sheriff shall be again allowed the wages in the Exchequer upon his account; but no Duke, Earl, Baron, or Baronet (although he be Justice of Peace and hold Sessions with the other 8 (shall have any wages allowed him. *Quere whether it ought not to be Baneret; for so it is in the first addition of Rastal, which I have.*

XV. Stat. 2. H. 5. Stat. 1. 4. Justices of Peace in every Shire named of the *Quorum* shall be resident within the same Shire (except Lords, Judges, Serjeants at Law, and the Kings Attourney) and shall keep their Sessions 4 times in the year, viz. in the first weeke after Michaelmas, Epiphany, Easter, and the Translation of Saint Thomas the Martyr, viz. Becket, being the seventh of July, and oftner, if need require.

XVI. Stat. 2. H. 5. Stat. 2. 1. Iustices of Peace shall be made of the most sufficient persons dwelling in the same Counties, by the advice of the Chancellor and the Kings Council, without taking others dwelling in forreign Counties to execute that Office, except Lords, Justices of Assize, and the Kings chiefe Steward. of the Dutchy Lands in the North and South parts.

XVII. Stat. 18. H. 6. 11. Justices of Peace of *Middlesex* are not compellable to keep their Sessions above twice in the year, notwithstanding the Statute of 12. R. 2. 10. yet may they keep them oftner if need be, at their discretions.

VIII. Stat. 18. H. 6. 14. None (except men learned in the Law, or inhabiting Corporations) shall be Iustices of Peace, unless their Lands be worth 20 li. per annum.

XIX. If any be put into the Commission, not having Lands of that value, and do not within one moneth after notice thereof, acquaint the Lord Chancellor therewith, or do sit, or make any Warrant, by force of such Commission, he shall forfeit to the King 20 l. to be divided betwixt the King and the prosecutor.

XX Stat.

XX. Stat. 3. H. 7. 1. Justices of Peace shall at the next general Sessions, certify recognizances taken for keeping the Peace, where, if the party (being called) do not appear, those Recognizances shall be certified into the Chancery, Kings Bench, or exchequer.

XXI. Stat. 4. H. 7. 12. The King commandeth all Justices of Peace diligently to exercise their office; to the end that his people by that means living in peace, and enjoying their own, husbandry may flourish: He also chargeth all, both poor and rich, that shall suffer any grievance from others (wherein a Justice of Peace may intermedle) that they forthwith make complaint thereof to the next Justice of Peace, and having no remedie there, to the Justices of Assize, if it be not long before their coming into that Countrey, but if it be then to the Chancellor for the time being, and then the King will send for the Justice so neglecting his duty; and in case he shall finde him guilty thereof, will cause him to be put out of the Commission, and otherwise punished according to his demerits: and this Statute shall be proclaimed at every Quarter-sessions, in pain that every Justice there present when it is not so proclaimed, shall forfeit to the King 20 s.

XXII. Stat. 2. 3. P. M. 18. A new Commission of the Peace or Gaol-delivery for the whole County shall not be a *Supersedeas* to a former like Commission granted to a City or Town-Corporate, being no County.

Keeper of the Great Seal of *England*.

I. Stat. 5. Et. 18. **T**he Authority, Preheminance, and advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor are declared to be the same to all intents, constructions, and purposes.

Knights.

I. Stat. de milit. 1. E. 2. Divers causes for which a man may be excused from taking upon him the order of Knighthood, See the Statute at large.

II. Stat. 16. 17. Cap. 20 None shall be hereafter compelled by writ or otherwise to take upon him the order of Knighthood, and all proceedings concerning the same shall be void.

Labourers,

Labourers, Artificers, Servants, and Apprentices.

I. Stat. 3. 3. 6. 15. Artificers, Workmen, or Labourers, that conspire together concerning their work or wages, every of them so conspiring shall forfeit for the first offence 10 l. to the King, and if he pay it not within six days after conviction (by witness, confession, or otherwise) he shall suffer 20 days Imprisonment, and during that time, shall have no sustenance but bread and water; for the second offence he shall forfeit 20 l. and that not paid within six days, as aforesaid, shall suffer the Pillory; and for the third offence shall forfeit 40 l. and that not paid within the said time shall again suffer the Pillory, lose one of his ears, and be ever after taken as a man infamous, and not to be credited.

II. Iustices of assize, Iustices of Peace, Majors, Bailiffs, and Stewards in Sessions, Leets and Courts, have power to hear and determine these offences. *But quære, whether this branch of this Statute be not repealed by the general words of 5 El. 4. following.*

III. Stat. 5. El. 4. So much of all Statutes made, and every branch thereof, as touch or concern the hiring, keeping departing, working, wages, or order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the penalties and forfeitures concerning the same are repealed: Howbeit the said Statutes and every branch and matter therein contained, not repealed by this Act, shall remain in force.

IV. None shall hire or be hired for less time then one whole year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Clothworker, Sheerman, Dier, Hoffer, Tailor, Shoemaker, Tanner, Pewterer, Baker, Brewer, Glover, Cutler, Smith, Farrier, Currier, Sadler, Spurrier, Turner, Capper, Hat or Feltmaker, Fletcher, Arrowhead-maker, Butcher, Cook, Miller.

V. Every person unmarried, or under the age of thirty years, (though married) having been brought up in any of the arts above-said by the space of three years, and not worth in lands 40 s. per annum, or in goods 10 l. (and so allowed under the hands and seals of two Iustices of Peace, the Head-Officer, or two discreet Burgeses of the Place where the party so brought up hath lived by the space of one whole year, nor already retained in Husbandry, the Arts

Arts abovesaid, or any other Art or Mystery, or in any service (upon request of any person using the same Art) shall not refuse to serve for the wages limited by the Statute; and being so retained shall not depart from his or their service without one Quarters warning before two lawful witnesses, or some lawful cause to be proved before one Justice of peace or Head-officer, in pain of Imprisonment without bail; but upon submission to perform the service they shall be enlarged without fees, which commitment and enlargement two Justices of Peace, the Head-Officer, or two burgeslies, as aforesaid, unto whom complaint shall be made, have power to command, as in their discretions, and upon due proof shall be thought fit.

V I. Every person between the ages of 12 and 60, not already retained in any service, nor imployed about Husbandry, Mines, Glass, Coal, Fishing, Sailing, provision of Grain or Meal for London, nor Gentleman born, nor Scholar in any University or School, nor worth 40 s. *per annum* in lands, or 10 l. in goods, nor having a Father, Mother, or other Ancestor (whose heir he is) worth 10 l. *per annum* in lands, or 40 l. in goods, shall be compelled to serve in Husbandry, and shall not depart that service, otherwise then as is before limited, upon the pain above-expressed.

V II. None shall put away his servant before the end of his term without a Quarters warning, or some lawful cause to be proved by two sufficient witnesses before the Justices of Oyer and Terminer, Just. of Assize, Just. of Peace in Sess. a Head-Officer, or two discreet Aldermen or Burgeslies, in pain of 40 s.

V I I I. No servant having served in one City or Town shall get to serve in another, without a Testimonial, *viz.* (in a Town Corporate under the Seals of the Town, and two householders there, and in the Countrey) under the Seals of the Constable, or Constables, and two householders there; which testimonial shall be made and delivered to the party, & also registred by the Minister of the place, where the servant dwelt, for which the Master is to have 2 d.

I X The form of the testimonial is this: *Memorandum, that A. B. servant to C. D. of I. in the County of E. Husbandman or Tailor, &c. in the said County is licensed to depart from his said Master, and is at his liberty to serve elsewhere, according to the Statute in that case made and provided: In witnesse, &c.*

X. The servant which sheweth not such a Testimonial to the chief officer in a Corporation, or to the Minister, or some officer in any other place, where he is to dwell shall suffer Imprisonment till he procure one, and if he produce not one within 21 dayes after his Imprisonment, or shew a false one, he shall be punished by whipping

ping as a vagabond, and the Master that retaines a servant without such a Testimonial shall forfeit five pounds.

XI. Those that work by the day or week shall continue at worke, betwixt the middle of *March*, and the Middle of *September*, from 5 in the morning till betwixt 7 and 8 at night except two hours allowed for breakfast, dinner, and drinking, and half an houre for sleeping from the midst of *May*, till the middle of *August*, and all the rest of the year from twilight to twilight, except an houre and a half allowed for breakfast and Dinner, in pain to have one peny defalked out of their wages for every houres absence.

XII. None that takes worke by great shall leave the same before it be quite finished, except for not payment of his wages, the Queens service, licence of the Workmaster, or other lawful cause, in paine to suffer one Moneths imprisonment without baile, and to forfeit five pounds to the partie grieved; besides his costs, and damages to be recovered at the common law for the losse sustained.

XIII. None retained in service to worke, shall depart without licence, in pain of one moneths Imprisonment.

XIV. Such wages of Labourers, Artificers, and others as have been formerly rated, or concern husbandry shall be yearly assessed for the County by the Sheriffe and Iustices of Peace in Sessions, and in Corporations by the head-officer at their Easter-Sessions, or within six weeks after, and before the 12 of *July* following, shall be certified under their hands and Seals in the *Chancery*: whereupon the Lord Chancellor or Keeper shall send down printed Proclamations thereof into every Countrey, & Corporation before the 1 of *September* then next following, which the said Sheriffs, Iustices, and head-officer shall before *Michaelmas* after cause to be inrolled, and proclaimed. But here, when the old rates shall be certified to stand, no Proclamation is needfull.

XV. A Iustice of Peace or chief officer which shall be absent at the taxing of wages (being not letted by sicknesse, or some other reasonable cause to be allowed by the Iustices upon Affidavit) shall forfeit 10 l.

XVII. None shall give greater wages then those so rated (as aforesaid) in pain of 5 l. and ten dayes Imprisonment without baile and if any person shall be convicted before two Iustices of Peace or a head-officer) of taking more wages, he shall suffer 21 dayes imprisonment without baile.

XVIII. Every retainer, promise, gift, or payment of wages, or other thing contrary to the true meaning of this Act; and every writing and bond to be made for that purpose, shall be void.

XVIII. If

XVIII. If any servant, or other shall be convicted before two Justices of Peace or a chief officer, as aforesaid, by his own confession, or the testimony of two honest men to have assaulted his Master, Mistress, Dame or Overseer, he shall suffer one yeares imprisonment, or less, if the Justice, or chief officer shall think fit; And if the party shall be thought to deserve a more severe punishment, then to receive such open punishment (life and member excepted) as the Justices in Sessions or the chief officer and 4 of the discreetest men in the Corporation shall thinke convenient.

XIX. Artificers shall work in hay-time and Harvest, in pain of Imprisonment in the Stocks two dayes and one night, which the Constable shall inflict upon them, in pain of 40 s.

XX. It shall be lawful for labourers (other then such as are retained in service according to this Statute) to go to other Shires to work in Hay-time and Harvest, so that they bring with them a testimonial under the hand of one Justice of Peace, or a Chief Officer, testifying that they have noe sufficient work in the place, where they lived the Winter before, for which testimonial they shall only pay a peny.

XXI. Every unmarried woman (fit to serve) being above 20 years old, and under 40. shall by two Justices of Peace, a Chief Officer or two Burgesses be compellable to serve for convenient time and wages, in pain of Imprisonment.

XXII. Husbandmen being householders, and using half a Plough-land (at least) in tillage, may take by Indenture Apprentices above the age of 10 yeares and under 18, to serve in Husbandry until the age of 21 yeares, (at least) or 24 yeares, as the parties shall agree.

XXIII. Every householder of the age of 23 yeares dwelling in a Town Corporate, and using there any Art or Mystery, shall and may take an Apprentice for seven yeares at least; Howbeit the term ought not to expire before the Apprentice accomplish the age of 24 yeares.

XXIV. Merchants, Mercers, Drapers, Goldsmiths, Ironmongers, Embroiderers, and Clothiers dwelling in Corporate Towns shall take no Apprentices; but their own children, or such whose parents have Inheritance, or Freehold of 40 s. per annum, to be certified under the hands and seals of three Just. of Peace of the County, where such lands lie, to the Head-officer of the said Corporation, who shall cause the same to be recorded. Artificers in Market-Towns nor Corporate, being householders, and of the age of 24 yeares may take other Artificers children to serve as Apprentices.

XXV. No

XXV. Merchants, Mercers, Drapers, Goldsmiths, Iremongers, Imbroiderers, & Clothiers dwelling in Market-towns not corporate, shall take no Apprentices but their own children, or such whose parents have Inheritance or Freehold worth 3 *l. per annum* to be certified under the hands & seals of three Justices of Peace as aforesaid.

XXVI. Smiths, Wheel-wrights, Plough-wrights, Mil-wrights, Carpenters, Rough Masons, Plaisterers, Sawyers, Lime-Burners, Brickmakers, Bricklayers, Tylers, Slaters, Helyers, Tile-makers, Linnen Weavers, Turners, Coopers, Millers, Earthen Potters, Woollen Weavers (of Housewives cloth onely) Fullers, Woodburners, Thatchers, and Stinglers may take Apprentices though their Parents have no land.

XXVII. None which hath not served an Apprentice seven years in any Art or Mystery now used shall use the same, or set any other to worke therein, which hath not so served out that time, in pain to forfeit 40 s. for every moneth.

XXVIII. Woollen cloth Weavers (other then such as inhabit Cumberland, Westmerland, Lancaster, or Wales, or in Cities, Corporations, or Market-Towns) shall take no Apprentices, nor teach any their Art, save their own children, or such whose parents have Inheritance or Freehold worth 3 *l. per annum*, to be certified under the hands and seals of three Justices of Peace of the County where the lands lie, in pain to forfeit 20 s. for every moneth; and the Indenture shall within 3 moneths be registred in the Parish where the Master dwells, the fee of which registring is 4 *d.*

XXIX. Every Clothworker, Fuller, Sheerman, Weaver, Taylor and Shoemaker, shal for every three Apprentices keep one Journeyman, and for every Apprentice above three another Journeyman, in pain of ten pounds.

XXX. This Act shall not prejudice Worsted makers, nor Worsted Weavers in *Norwich* or *Norfolk*.

XXXI. If any person fit to make an Apprentice refuse to serve upon demand, one Justice of Peace, Major or head-officer unto whom complaint thereof shall be made, have power to commit him toward, untill he shall be willing to serve accordingly.

XXXII. If there shall arise any difference betwixt the Master and the Apprentice, one Justice of Peace in the Countrey, or the Major or head-Officer in a Corporation, or Market-town, shall have power to reconcile it, if they can; if not, then to bind over the Master to the next Quarter-sessions, where the Justices of Peace or any four of them (1. *¶*) or the head-Officer with the consent of three of his Brethren shall (upon default found in the Master)

in writing under their hands and Seals have power to discharge the Apprentice of his service; and if default shall be found in the Apprentice, then to inflict such punishment upon him as in their discretions shall be thought fit.

XXXIII. None shall be bound to enter into an Apprentiship, other then such as be under the age of 21 yeares.

XXXIV. Justices of Peace in their severall Divisions, and head-Officers in Towns corporate shall meet twice every year, viz: once betwixt Michaelmas and Christmas, and another time betwixt the Lady day and Midsummer, to give order for the due execution of this Statute.

XXXV. Justices of Peace and head-officers shall have 5 s. for every day they sit about the execution of this Statute, to be allowed them out of the fines which accrue upon the breach thereof, so that their sitting be onely for matters contained in this Statute, and not above three dayes at one time.

XXXVI. The forfeitures abovesaid (except those otherwise limited) shall be divided betwixt the Queen and the prosecutor; And all Justices of Peace or any two of them (1 Qu.) and every head-officer shall have power to hear and determine the breach of this Statute upon Indictment or otherwise, and to award processes and execution accordingly, and shall yearly in Michaelmas Term by Estreat certifie into the Exchequer the fines, which accrue upon this Statute in manner as they ought to do in other cases.

XXXVII. This Act shall not restrain the Cities of *London* and *Norwich*, from taking of Apprentices as in times past.

XXXVIII. None shall take Apprentices otherwise then is limited by this Act, in pain of ten pounds, and all indentures otherwise made shall be void.

XXXIX. An Apprentice shall be bound by his Indenture notwithstanding his nonage of 21 yeares.

XL. The inhabitants of *Godalming* in *Surrey* may take and use such arts and Apprentices as Market-Towns may do by vertue of this Act.

XLI. The fines accruing by this Act in Towns Corporate shall be appointed by the head-officer to be collected (as other fines and Amerciaments) for the use of the same Towns.

XLII. When an Apprentice departs from his Masters service into another County or Corporation, it shall be lawfull for the Justice of Peace, or head-officers there being (Justices of Peace) to direct a *Capias* to the Sheriff or other chief Officer for his apprehension, and being taken, the said Justice of Peace or head-officer

shall commit him to ward untill he give good securiry, that he will honestly serve out his time.

XLIII. Notwithstanding this Act high Constables have power to keepe their Statute-Sessions, so that they there do nothing repugnant heretunto.

XLIV. Stat. 1: Jac. 6: The Statute of 5. El. 4. shall give power to the Iustices of Peace to rate the wages of any Labourers, Weavers, Spinsters, and Workemen or Workewomen whatsoever.

XLV. The rating of such wages in Sessions by the more part of the Justices within any particular Riding or division (where general Sessions have been used severally to be kept) shall be as effectual, as those rated at the general sessions of the whole country.

XLVI. The Sheriffes and head-Offices within their severall precincts shall cause the said rates to be proclaimed in such sort, as if they had been sent down printed from the Lord Keeper, which all persons shall be bound to observe, upon the pains and penalties mentioned in the said Statute of 5. El. 4.

XLVII. A Clothier or other convicted before the Justices of Assize, or Peace in sessions, or before two Justices of Peace, (1. Qu.) by his owne confession, or the evidence of two witnesses not to have observed the said Rates by paying lesse then the rates so appointed, shall forfeit 10 s. to the party grieved, to be levied upon warrant from the same Justices by distresse and sale of goods.

XLVIII. None shall incurre any danger for not making certificate of the Rates into the Chancery according to 5. El. 4.

XLIX. A Clothier being also a Justice of peace, shall not be a rater of wages for any Artificers, that depends upon making of Cloth.

Lancaster.

I. Stat. 33. H. 6. 2. An Indictment found in Lancashire against a forreigner, dwelling in another County, shall be void, unlesse each Juror had Lands and Tenements there of the yearely value of 5 li.

II. The like Law is of an Indictment found in another County (and not in Lancashire) against an inhabitant of Lancashire, where each Juror hath not Lands and Tenements worth 5 li. per annum.

III. Stat. 37. H. 8. 16. Lands annexed to the Duchy of Lancaster, and there exchanged by the King, with others for the enlargement and conveniencie of the said Duchy: See the Statute at large.

IV. Stat. 1. 3. P. M. 20. A farther enlargement of the said Duchy. Vide the Stat.

Leases.

I. Stat. 32. H. 8. 28. Leases made by tenant in tail, or by him who is seized in the right of his wife or Church (they being of full age at the time of such Lease made) shall be good and effectual in the Law against the Lessors, their wives, heirs, and successors.

II. This Statute shall not extend to any lease to be made of lands in the hands of any Farmer by force of any old lease, unless such old lease expired within a year after the making of the new; nor to any grant to be made of any Reversion of Mannors, Lands, &c. nor to any lease of such Mannors, Lands, &c. which have not been let to farme, or occupied by Farmers 20 yeares before such lease made; nor to any lease to be made without impeachment of waste, nor to any lease to be made for above 21 yeares or three lives from the day of the making thereof; and that upon every such lease there be reserved so much yearly rent, as hath been usually paid for the lands so let within 20 yeares next before such lease made; and the Reversioners of the Mannors, Lands, &c. so let (after the death of such lessor or his heirs) may have such remedy against such lessee, his executors and assigns, as such lessor might have had against such lessee.

III. Provided, that all leases made by the husband of Mannors, Lands, &c. (being the inheritance of the wife) shall be made by indenture in the name of the husband and wife, and she to seal to the same, and the rent shall be reserved to the husband and wife, and the heirs of the wife: And here the husband shall not alien or discharge the rent, or any part thereof longer then during the coverture, unless it be by fine levied by husband and wife.

IV. This Act shall not extend to give liberty to take more Farmers or Leases then might have been taken before this Act, (*Vide Stat. 25. H. 8. 13. Sheep*) nor to any Parson or Vicar to make any lease, otherwise then they might have done before.

V. All leases for yeares made within three yeares before the 12 of April, in 31. H. 8. by writing indented under seal by any person or persons of full age, sane memorie, not unlawfully coerced, nor covert Baron, of any Mannors, Lands, &c. wherein he or they have an estate of Inheritance to his or their own use at the time of the making thereof, and whereof the lessee or lessees, or their assigns have now the possession by force of such lease or leases, and no cause of re-entry or forfeiture thereof had or made, shall be good in law against such lessors, their heirs and successors; so as so much yearly

yearly rent be reserved for the same, as was paid for the same within 20 yeares next before the making of such Lease or Leases; or else such Lease or Leases to be of no other force, then they were before the making of this Act.

VI. No fine, Feofment, or other Act done by the husband onely of the Inheritance, or Freehold of the wife, shall make any discontinuance, or prejudice the wife or any other, who is to enjoy it after her decease; the fines levied by the husband and wife, onely excepted.

VII. This Act shall not give libertie to the wife or her heires to avoid any Lease hereafter to be made of the wifes Inheritance by the husband and wife for 21 yeares or under, or for 3 lives, whereupon the accustomed yearly rent for 20 yeares before is reserved, according to the tenor of this Act.

VIII. This Act shall not extend to make good any Lease, made by any Ecclesiastical person which are made voide by authority of Parliament, or by any such person or other now attainted of treason.

IX. Stat. 1. Eliz. not printed. All estates made by any Archbishop or Bishop of any Mannors, Lands, &c. parcel of the Possessions of their Bishopricke, or united or appertaining thereunto, to any person or persons, bodie Politick or corporate, other then to the Queene, her heires and successors, and other than for the terme of 21 yeares and 3 lives from the time of such estate made, and whereupon the accustomed yearly rent or more shall be reserved and payable yearly during such term for 21 yeares or three lives, shall be void to all intents and purposes.

X. Stat. 13. El. 10. All Leases, Conveyances, or estates made by any Master or Fellowes of any Colledge, Dean and Chapter or any Cathedrall, or Collegiate Church, Master or Guardian of any Hospital, Parson, Vicar, or any other having any spiritual or Ecclesiastical living, or any houses, lands, titles or other hereditaments, being parcel of their Colledge, Cathedrall, Chapter, Hospital, Parsonage, Vicarage, or other spirituall Promotion, or belonging thereunto, other then for 21 yeares or 3 lives from the making thereof, and whereupon the accustomed yearly rent or more shall be reserved and payable yearly during the terme; shall be utterly void to all intents and purposes.

XI. This Act shall not make good any Lease or other Grant against the Private Statutes of any Colledge or Collegiate Church.

XII. This Act shall not extend to any Lease hereafter to be made upon surrender of a former Lease, or by reason of any covenant or condition contained in any former Lease, and still continuing; so as

the Lease to be made contain not more yeares then the residue of the yeares of such former Lease, nor any lesse rent then is thereby reserved.

XIII. Stat. 13. El. 20 No lease made of any Benefice or Ecclesiasticall Promotion with *Cure*, or any part thereof (and not Improprised) shall endure any longer then while the lessor shall be ordinarily resident and serving the *Cure*, of such Benefice without absence above 80 dayes in any one year, but that every such Lease, *so soon as it or any part thereof shall come into any possession or use above forbidden*, or immediately upon such absence, shall cease and be void; And the Incumbent so offending shall lose a yeares profit of his Benefice to be distributed by the Ordinary amongst the poore of the Parish.

XIV. Provided, that every person, allowed to have two Benefices, may demise one of them (upon which he is not most ordinarily resident) to his Curate onely, but such Lease shall endure no longer then during such Curates residence, without absence, above 40 dayes in any one year.

XV. Stat. 14. El. 11. In the Statute of 13. El. 20. these words (*so soon as it, or any part thereof shall come to any possession or use above forbidden, or*) are repealed.

XVI. All Bonds, Contracts, Promises, and Covenants hereafter to be made for suffering or permitting any person to enjoy any Benefice or Ecclesiasticall Promotion, with *Cure*, or to take the fruits thereof (other then such Bonds and Covenants made for assurance of any Lease heretofore made) shall be adjudged of such validity (and not otherwise then) as Leases thereof made: The like law is of Leases, Bonds, Promises, or Covenants, made by Curates.

XVII. The branch of the Statute of 13. El. 10. made to avoid certaine Leases made by certain persons having Spirituall Livings, shall not extend to houses situate in Corporations or Market-towns, or the Subburbs thereof, nor unto the Grounds appertaining to such houses, so as they be not the dwelling houses of such persons, nor have above 10 acres of ground belonging to them.

XVIII. Provided, that no Lease shall be made by force of this Act, in reversion, or without reserving the accustomed yearly rent at least, or without charging the Lessee with reparations, or for longer term then forty yeares: Neither shall any such houses be aliened without purchasing presently after other lands in fee-simple as good value and as great yearly value, as the houses so aliened.

XIX. Stat. 18. El. 6. Upon Leases made by Colledges in the

two Universities, *Winchester* and *Eaton*, the third part of the rent shall be reversed in Grain, to be delivered unto them yearly at days prefixed, after the rate of 6 s. 8 d. for a quarter of Wheat, and 5 s. for a quarter of Malt, or under those prices; or it shall be in the election of the lessee to pay them in kinde, at the best rates found in those several Markets respectively the next Market-dayes before the said day prefixed for the payment or delivery thereof; And all leases otherwise made, and all bonds and assurances given to the contrary shall be void: which said grain or money shall be expended for the relief of the Commons and diet of the said Colledges respectively without fraud, in pain of deprivation of the Chief Rulers of such Colledges respectively, and of all others consenting thereunto.

XX. This Act shall not extend to any lease to be made by the President and Scholars of Saint *Johns* Colledge in *Oxford* of the Mannor of *Fisfield*, to the Heir-male of Sir *Thomas White*, Knight late Alderman of *London*, and founder of the said Colledge.

XXI. Stat. 18. El. 11. All leases made by such persons as are mentioned in Statute of 13. El. 10. where another lease is in being, not to be expired, surrendered, or ended within three yeares next after the making of such new lease, shall be void: And all Bonds and Covenants for removing of any such lease contrary to this Act, or to the said Statute of 13. El. 10. shall also be void: Howbeit this Act shall not extend to any lease or leases heretofore made by any such person or persons.

XXII. After complaint to the Ordinary, and sentence given upon any offence committed by the Incumbent against the Stat. of 13. El. 20. whereby he ought to lose the profits of his Benefice, the Ordinary within two moneths after such sentence given, and request made by the Church-wardens or one of them, shall grant the sequestration thereof to such Inhabitant or Inhabitants there, as to him shall seem convenient; and upon default in the Ordinary, it shall be lawful to every Parishioner there to retain his tithes, and for the Church-wardens to take the profits of the Glebe, and other rents and duties of such Benefice to be imployed to the use of the poor, until the sequestration shall be committed by the Ordinary, and then the Church-wardens and Parishioners are to account to him or them, to whom such sequestration shall be committed, and he or they shall imploy the said profits to such uses as by the said Statute of 13. El. 20. are appointed, in pain to forfeit the double value of the profits withholden, to be recovered in the Ecclesiastical Court by the poor of the Parish.

XXIII. Stat. 43. El. 9. All judgements hereafter to be had for the intent to have or enjoy any lease contrary to the Statutes of 13. El. 20. 14. El. 11. and 18. El. 11. or any of them, shall be deemed void, in such sort as Bonds and Covenants are appointed to be void, which are made for that purpose.

Lee-River.

I. Stat. 13. E. 18. For making the River of Lee Navigable from Ware to London: See the Statute.

Leet

I. Stat. 18. E. 2. The Articles of the charge in a Leet.

II. Stat. 1. Jac. 5. No Steward or Deputy-Steward of any Leet, or Court-Baron shall make benefit to the value of 12*d.* or more by colour of any grant made of the profits or perquisites of any such Courts whereof he is Steward, in pain to be disabled for ever after to be Steward of any Court, and besides to forfeit 40*l.* to be divided betwixt the King and the prosecutor.

Libel.

I. Stat. 2. H. 5. 3. A Copie of a Libel grantable in the Ecclesiastical Court shall be presently delivered upon the defendants appearance.

Limitation.

I. Merton, 20. H. 3. 8. Seisin of ones ancestor in a writ of right shall be from the time of *H. 2.* In a *Mortdancer*, writ of *Niese*, and of *Entry*, from the last returne of King *John* out of *Ireland*; and in an *Affize of Novel disseisin* from *Henry* the thirds first Voyage into *Gascoign*.

II. West. 1. 3. E. 1. 38. Seisin of ones Ancestor in a writ of right shall be from the time of *R. 1.* In an *Affize of Novel disseisin* and *Nuper obiit*, from *H. 3.* his voyage into *Gascoign*; and in a *Mortdancer*, *Cosinage*, *Ayel*, and *Niese*, from the Coronation of *H. 3.*

III. Stat. 32. H. 8. 2. Seisin in a writ of right shall be within 60 yeares before the *Teste* of the same writ.

IV. In a *Mortdancer*, *Cosinage*, *Ayel*, writ of *Entry sur disseisin* or

or any other possessory action, upon the possession of his Ancestor or Predecessor, it shall be within 50 yeares before the *Teste* of the original of any such writ.

V. In a writ upon the parties owne seisin or possession, it shall be within 30 yeares before the *Teste* of the original of the same writ.

VI. In an Avowrie or Cognizance for rent, suit, or services, of the seisin of his ancestor, predecessor or his own, or of any other, whose estate he pretends to have, it shall be within 40 yeares before the making of such Avowry or Cognisance.

VII. Formedones in reverter or remainder, and *scire facias* upon fines shall be sued within 50 yeares after the title or cause of Action accrued, and not after.

VIII. The partie demandant Plainriffe or Avowant that (upon Traverse or denier by the other party) cannot prove actual possession or seisin within the times above limited, shall be for ever after barred in all such writs, actions, avowries, cognisance, prescription, &c.

IX. Provided, that in any of the said actions, avowries prescriptions, &c. the partie grieved may have an attaint upon a false verdict given.

X. Stat. 1. M. 1. Parl. 2. Sessi. Cap. 5. The Statute of 32. H. 8. 2. shall not extend to a writ of right of Advowson, *Quare impedit*, assize of darrein presentment, *Jure patronatus* writ of right of ward, writ of ravishment of ward, nor to the seisor of the wards bodie or estate: but the time of the seisin to be alleadged in such cases, shall be as it was at the Common law before the making of the said Statute.

XI. Stat. 21. Jac. 2. The King, his heires or successors, shall recover no concealed Mannors, Lands, Tenements, Rents, Tithes, or Hereditaments (other then Liberties and Franchises, and the issues and profits which concern the same) nor make any Right, Claime, or Demand of, in, or to the same, by reason of any right or title accrued 60 yeares and more, and now *in esse*; unless the King or some of his Predecessors, or some other, under whom he claimes, have been answered (by force of such right or title) the Rents, Issues, and profits thereof, within 60 yeares next before the beginning of this Parliament; Or that the same have been duely in charge to the King or Queen *Elizabeth* or have stood *in super* of record within the said time.

XII. This Act shall not extend to impeach the Kings right or title to any reversion or remainder, nor to alter the tenures or services of Lands: And here also, the right of all others (save of the King) is saved,

XIII. Neither shall this Act extend to annul the custome of two pence paid for every Chaldron of Sea-Coals at Newcastle upon Tyne.

XIV. Provided, that no putting in charge standing *in super*, or answering the rents or profits of any Lands or Hereditaments, by force or colour of any Letters Patents, Grants of Concealments, or defective Titles, or of Lands, Tenements, or Hereditaments, out of charge, or by force or colour of any Inquisitions, presentments, upon any Commission, or other authoritie to finde out Concealments, Defective Titles, or Lands, Tenements or Hereditaments, out of charge; shall be deemed, or taken to be a putting in charge, standing *in super*, or answering the rents or profits to the King or his predecessors, unless thereupon such Lands, Tenements, or Hereditaments, have been upon any information or suit (on the behalf of the King or his Predecessors) upon any lawful verdict given, or demurrer in Law, adjudged, and upon a hearing ordered, or decreed to the King, or his predecessors, within the said time of 60 years.

XV. This Act shall not extend to lands, for which composition is or shall be made, before the end of this Parliament.

XVI. Stat. 21. Jac. 16. All Writs of Formedon in *Descender*, *Remainder*, or *Reverter*, for any title or cause now *in esse*, shall be sued within 20 years next after this present Session of Parliament, and for any title or cause hereafter accruing within 20 years after such title or cause so accruing; Otherwise, such title shall be for ever after barred, and the partie claiming, utterly excluded from entry.

XVII. None now having any right or title of entry into any Mannors, Lands, Tenements, or Hereditaments, now held from him or them, shall thereinto enter, but within 20 years next after the end of this Sessions of Parliament, or within 20 years next after any other title accrued: And none shall at any time hereafter make any entry into any Lands, Tenements, or Hereditaments, but within 20 years next after his or their right or title, which shall hereafter first descend or accrue to the same.

XVIII. The Titles of any infant, Feme covert, *non compos mentis*, one imprisoned, or beyond sea, are saved, so as they commence their suit within ten years after such imperfections removed.

XIX. All Actions upon the Case (other then for slander) actions for account (other then such as concern Merchandize) Actions of Trespasse, Debt, Detinue, Trower, and Replevin, shall be commenced within three years after this present Session of Parliament,

or within six years after the cause of such actions or suit, and not after.

X X. All action of trespassse, of Assault, Battery, Wounding and Imprisonment, shall be commenced within one year after this session, or within four years after the cause of suit, and not after.

X X I. All actions upon the Case for words, shall be commenced within one year after this present session, or within two years after the words spoken, and not after.

X X I I. Provided, that if in any such actions judgement be given for the Plaintiffe, and the same be reversed by Error, or a verdict passe for him, and upon motion in arrest of judgement, it is given against him, or if the Defendant be outlawed in the suit, and after reverse the outlawry: in these cases the Plaintiff, his Heirs, Executors, or Administrators, may commence a new Action within a year after such judgement reversed, or given against the Plaintiffe, or outlawry so reversed, and not after.

X X I I I. The right of action in the cases abovesaid is saved to an Infant, Feme covert, *non compos mentis*, a person imprisoned or beyond Sea, so as they commence their suits within the times above limited respectively, after their imperfections removed,

Linne.

I. Stat. 26. H. 8. 9. An Act for the repairing of the Towne of Linne: see the Statute at large,

Linnen Cloth.

I. Stat. 28. H. 8. 4. No person whatsoever shall put to sale any piece of Douglas, or Lockeram, unless the just length be expressed thereupon, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the seiser.

II. Stat. 1. El. 12. None shall use any means whereby linnen cloth shall be deceitful, or made worse for use, in pain to forfeit the same, to suffer a moneths imprisonment, and to be fined by the Justices before whom he shall be condemned.

III. Justices of Oyer and Terminer, and of Assize, and Justices of Peace, or any three of them (1 Quo.) have power to heare and determine these offences.

IV. The informer that shall at the next Sessions of the Peace (after the seiser) to be kept in the County where such seiser is made, or before two Justices, (1. Qu.) make due information of the offence and

and seisor, or procure the offender to be there indicted, and be bound by Recognizance before the said Justices to pursue the same matter with effect, and give evidence, as of right appertaineth, and pay the one moiety of what he recovers to the Sheriffe, or other accountable for the Queens use, shall have the other moiety for his pains.

VI. The Justices before whom these offences are tried shall by estreat certifie the forfeiture into the Exchequer.

Livery and Ouster le main.

I. Stat. De Escheatoribus 29.E.1. Where, by Inquests taken before the Escheator, upon the Kings Writ returned, it is found, that nothing is holden of the King, the Escheator shall be immediately commanded by the Kings Writ, out of the Chancery, to put from his hands the Lands so taken into the Kings hands, and if the Escheator have received any profit thereof, he shall restore it: Howbeit, if the Kings title may afterwards be made appear by remembrances in the Chancery, Exchequer, or elsewhere, the Lands shall be resealed, and the mean profits answered to the King, and in such case *scire facias* shall issue out against the party to shew cause why they should not be resealed. *Vide Antic. super Cart. 28.E.1. cap. 19.* To the like effect as to the Ouster le main, and rendring the mean profits, when there is no cause of seisor.

II. Stat. 28.E.3.4. Where the Kings tenant after he hath had livery, hath been charged with rents, and other payments become due after such livery for part of the time *pro rata*; hereafter the Escheator shall be charged with the Casual and continual profits which happen before the livery, (*pro rata*) according to the time, and the tenant shall receive the certain payments of rent, &c. which happen after the livery, without any abatement thereof (*pro rata*) for the time.

Liveries of Companies and Retainers.

I. Stat. 1.R.2.7. None shall give liveries for maintenance of quarrels or other conspiracies, in pain of imprisonment and grievous forfeiture to the King; And the Justices of Assize shall diligently inquire of such as gather together in Fraternities for such purposes, and shall punish them according to their demerits.

London.

I. *Stat. de Gavelet*, 10.E.3. The Lords of Rents in *London* may recover them by a writ of *Gavelet*, in their Hoystings, and in default thereof, the Lands, in demesne.

II. *Stat.* 28.E.3. 10. The Major, Sheriffs and Aldermen of *London* shall cause errors, defaults, and misprisions there to be redressed, in pain to forfeit for the first default 1000 marks, for the second 2000 marks, and for the third to have the franchise and liberty of the City seized: And their defaults herein shall be inquired of by Enquests of *Kent, Essex, Sussex, Hertford, Buckingham* and *Berks*, as well at the Kings suit, as of others that will complain.

III. The Major, Sheriffs, and Aldermen being indicted, shall be caused by due process to come before the Kings Justices assigned thereunto out of the City, and there shall be made to answer as well to the King as the party grieved, and their trial shall be by foreign Inquests, as aforesaid; whereupon if they be attainted, the said pain shall be levied upon them, and the plaintiffs also shall recover treble damages.

IV. In the prosecution of such suits, the Constable of the Tower or his Lieutenant shall execute all processes in the City, which process shall be by attachment, distress, and *exigent*; and in the Kings case, the *exigent* shall be awarded after the first *Capias* returned, but after the return of the third *Capias*, at the suit of the party.

V. If they have lands out of the City, process shall issue against them in the Counties, where such lands be, by attachment and distress.

VI. Every of them that appear, shall answer particularly for himself, as well at the peril of him that is absent, as of himself.

VII. This Ordinance shall extend to all other Cities and Boroughs throughout the Realm: Howbeit the inquests in such cases shall be taken by foreign people of the Counties wherein such Cities and Boroughs are situate: And the pains to be set upon them shall be adjudged by the Justices thereto assigned.

VIII. *Stat.* 1 H.4. 15. The penalties of 1000 and 2000 marks (imposed by the Statute of 28.E.3:) shall not be limited to a certainty, but the penalties shall from henceforth be left to the discretion of the Justices thereto assigned, in like manner as it is for other Cities and Boroughs.

I X. Stat. 35. H. 8. 10. An Act for repairing, making, and mending the Conduits in *London*.

Lords.

I. Stat. 31. H. 8. 10. A direction how Lords and other Great Officers are to be placed in Parliament: *see the Statute at large*.

Mainprize and Bail.

I. *Parlb.* 52. H. 3. 27. **A**lbeit a Clerk being upon any offence against the Crown (after arrest) let to baile or replevied by the Kings command, will not or cannot (by reason of his Clerks Office) make answer before the Justices, yet shall not those, who let him to bail, or his sureties be amerced, so as he appears before the Justices.

II. *Stat.* 1. 15. 3. E. 1. Forasmuch as before this time it hath not bin determined what persons are repleveable, and what not, save onely such as be taken for the death of a man, or by the command of the King or his Justices, or for the Forrest; it is now provided that Persons outlawed and such as have abjured the Realm, Provors, and such as be taken with the manner, Prison-breakers, Theeves, openly defamed and known, Appelles by provors, (during the life of such provors) house-burners, Counterfeiters of the Kings Seal or Coyne, Excommunicate Persons, manifest Offenders and traitors, are not replevisable by common writ or without writ.

III. Persons guilty of Larcenie by enquests, (taken before Sheriffs or Bailiffs) or of petty Larcenie (not before detected or accessory to any felonie) or onely guilty of some light suspicion, areailable by good sureties, for which the Sheriff shall be answerable.

IV. If any Sheriffe or other, having the Custodie of a prison, set any at large by surety who is not replevisable, and be thereof attained, he shall lose his fee and office for ever; and if any under-officer doth it, he shall suffer 3 moneths Imprisonment, and make fine at the Kings will.

V. If any withhold Prisoners replevisable, after they have tendered sufficient suretie, he shall be grievously amerced; and if he take any reward for the deliverance of such, he shall pay double to the prisoner, and be also grievously amerced.

VI. Stat.

VI. Stat. 3. H. 7. 3. Two Justices (1. Qu.) have power to let to bail persons bailable by Law, until the next quarter-Sessions or Gaol-delivery, and shall there certify the same, in pain of 10 L.

VII. The Sheriffe and all others having the custodie of Gaoles, shall certify the names of all prisoners in their custodie to the Justices of Gaol-deliverie, at their general Gaol-delivery, in pain to forfeit for every such default 5 L.

VIII. The Statute of 1. R. 3. 3. which gave power to one Justice of Peace to bail prisoners is repealed.

IX. Stat. 1. 2. P. M. 13. None shall be let to bail, which are forbidden to be bailed by 3 E. 1. 15.

X. None arrested for Man-slaughter or Felonie or suspicion thereof (being bailable by law) shall be let to bail, save onely in open Sessions or by two Justices (1. Qu.) being both present at the time of such bailment, which shall be certified (together with the examination of the prisoner, and the Information of the accusers) under their owne hands, at the next Gaol-deliverie, and such examination and Information shall be taken before the bailment.

XI. The said Justices have power to bind by recognisance all such as can declare any thing material against the prisoner, to appear at the Gaol-delivery, and shall there make certificate of the said Recognisance.

XII. the Justices that offend any branch of this Act are liable to be fined by the Justices of Gaol-delivery.

XIII. This Act shall not restrain Justices within *London* and *Middlesex* to let to bail prisoners, as heretofore they have used, onely they shall certify their examinations, bonds and bailments at the next Gaol-deliverie of their Iurisdiction, in pain to be fined, as aforesaid.

XIV. Every *Habeas Corpus* or *Certiorari* for the removing of a prisoner shall be signed by the chiefe Iustice, or one of the Iustices of the Court, out of which the writ issues, in pain of five pounds to be forfeited by the writer.

XV. Stat. 2. 3. P. M. 10. One accused of manslaughter or felonie, who, for want of bail, is to be sent to the Gaol, must be examined by the Iustice, before he sends him thither, and the accusers must be bound over to give in evidence against him, whose information must also be taken and committed to writing within two days after at farthest, and all certified in at the next Gaol-delivery, as by the Statute of 1. 2. P. M. 13. is limited, upon the penalty therein expressed.

Maintenance.

I. *Wilest.* 1. 28. 3. E. 1. No Clerk of the King or of any Justicer shall receive the presentment of any Church for which there is debate in the Kings Court, without the Kings special licence in pain to lose the Church, and his service; And that no Clerke of any Justicer or Sheriffe take part in any suits, or use fraud, whereby common right may be delayed, in pain to be punished, as aforesaid, and more grievously, if the trespass require it.

II. *Stat.* 1. E. 3. *Parl.* 2. 14. None shall maintraine quarrels, and parties in the Countrey, to the let and disturbance of the Common Law.

III. *Stat.* 20. E. 3. 4. None shall maintain any quarrels save their owne, in paine to have their bodie, lands, and goods to be at the Kings Pleasure.

IV. *Stat.* 1. R. 2. 4. No great officer of the King shall maintraine quarrells in the County, in pain of a fine, to be imposed by the King and his Council. And no other person, in pain of Imprisonment and to be fined at the Kings will, and if he be the Kings officer, or household servant, he shall also lose his office.

V. *Stat.* 7. R. 2. 15. The Statutes of 1. E. 3. *Par.* 2. 14. 4. E. 3. 11. (which see in *Nisi prius*) 1. R. 2. 4. and 1. R. 2. 9. (which see in *Feoffments*) made against Maintenance and Champerty: shall be duely put in execution.

VI. *Stat.* 32. H. 8. 9. All Statutes which concern Maintenance, Champertie, and Embracerie shall be duely put in Execution.

VII. None shall buy any pretended right or title in any land, unlessse the Seller hath taken the profits thereof one whole yeare next, before such bargain, in pain that both the buyer and seller shall each of them forfeit the value of the same land, to be divided betwixt the King and the prosecutor.

VIII. None shall unlawfully maintain any suit or Action, receive any person for maintenance, embrace Jurors, or suborn witnesses to the hindrance of Justice, or the procurement of perjury, in pain to forfeit for every such offence 10 l. to be divided betwixt the King and the prosecutor.

IX. Howbeit purchasing of a pretended title by him that is already lawfully possessed of the thing whereunto title is made, is lawful.

X. Proclamations shall be made at the Assizes of the Statutes made against Maintenance, Champerty, Embracery, and unlawful tainers.

XI. The

XI. The offenders against this Act shall be prosecuted within one year.

Malt.

I. Stat. 17.R.2.4. Malt made in the Counties of *Huntington*, *Cambridge*, *Northampton*, and *Bedford*, and brought to *London* for the provision of the Court and City shall be well cleansed from dust and other filth: and Majors, Bailiffes, and Wardens of Towns and places, where it is sold, have power to make search and to see such defaults redressed.

II. Stat. 2.E.6.10. None shall employ less time in the making and drying of Malt, except in the moneths of *June*, *July* and *August* then three weeks; and in those moneths less then 17 dayes; nor put to sale any malt mingled of good and bad, in pain to forfeit for every quarter so put to sale 2 s. to be divided betwixt the King and the prosecutor.

III. None shall put any malt to sale before (by treading, rubbing and fanning it) he shall have conveniently taken out of every quarter half a peck of dust or more, in pain to forfeit 20 d. for every quarter otherwise sold, to be divided betwixt the King and the prosecutor.

IV. Justices of Peace in Sessions and Stewards in Leets have power to hear and determine these offences, as well by presentment of twelve men, as by information of two witnesses.

V. Bailiffes and Constables of Townes and places, where faulty Malt is made or mingled, as aforesaid, have power to make search for it, and being found (with the advise of a Justice of Peace) to make sale thereof at their discretions.

VI. None shall be punished by this Act, who onely maketh Malt for his owne provision, nor unlesse the Action be prosecuted within one year.

VII. Stat. 39.E.16. Justices of Peace in Sessions have power at their discretions to restrain the superfluous number of Malsters, and also of the buyers of Barley to be converted into Malt.

VIII. If any person shall be convicted by the testimony of two Witnesses or his owne confession, to have disobeyed the restraint aforesaid, they shall suffer three dayes Imprisonment without bail, and shall there remaine, until they shall (before some Justice of Peace) become bound by recognifance in 40 l. to obey the said restraint.

IX. Justices of Peace in the County shall not execute this Law within

within Corporations; but onely the Justices and chief officers of the same Corporations.

X. Such as have barley of their owne growing, tithes-corn, or rent-corn, may convert it into Malt, notwithstanding this Statute.

XI. Malsters shall not meddle with the Execution of this Act.

XII. *Stat. 3. Jac. 11.* When Malt is at 16. s. the quarter, Beer may be transported to the Kings Allies in Caske; And the impost shall be 8. s. and the Custome 18. d. for a subject; but for a Stranger 10. s. and 22. d. half penny.

XIII. This Act shall not Infringe the Statute of 35. *El. 11. 1. Jac. 25.* or any other Statute made for the bringing in of Clapboard, Cask, or Scaffold-board.

Merchants, Merchandise.

I. *Magna charta, 30. 9. H. 3.* Merchant-strangers shall have safe conduct of coming into, going out of, and remaining in *England*, to buy and sell without being exacted upon by excessive tolls, except in time of war, if they be of our enemies Countrey: And albeit they be so, yet so long as our Merchants be used well there, they shall have the like usage here.

II. *Stat. 9. E. 3. 1.* Merchant-strangers may freely buy and sell within the Realm without disturbance, except they be alien enemies.

III. If any disturbance or abuse be offered them or any other Merchant in a Corporation, & the Head-Officer there do not (upon request) provide remedy, the Franchise shall be seised into the Kings hand, and the disturber (being thereof attainted) shall answer double damages to the party grieved, suffer one years imprisonment, and be ransomed at the Kings will.

IV. If the disturbance be out of a Franchise, and the Lord there or his Bailiffe, Constable; or other Chief Ruler do not (upon request) provide remedy, he shall (being attainted thereof) render double damages to the party grieved, and the disturber (being also thereof attainted) shall also suffer one whole years imprisonment, and be ransomed at the Kings will.

V. Howbeit Merchants aliens shall carry no wines out of this Realm.

VI. This Law shall be strictly observed throughout the Realm, notwithstanding any Charter, Franchise or Custome to the contrary saving to the King his due Customs:

VII. The Chancellor, Treasurer, Justices assigned by commission

shall have power to hear and determine these misdemeanours.

VIII. Stat. 14. E. 3. Stat. 2. 2. All Merchants (except enemies) may safely come into England with their goods and Merchandize, carry and return, paying the due customes and subsidies.

IX. Franchises and free customes reasonably granted to Cities, Towns, and Burroughs are saved.

X. Stat. 25. E. 3. Stat. 4. 2. The Statute of 9. E. 3. 1. is confirmed, and all Statutes, Charters, Letters Patents, Proclamations, Commandements, Usages, Allowances, and Judgements to the contrary are repealed and made void.

XI. All Merchants may freely sell their commodities without challenge or impeachment of any Officer or other, notwithstanding any franchise, grant, or custome to the contrary.

XII. The King may assigne Justices to inquire of such as offend this Law, and to inflict punishment upon them according to the said statute of 9. E. 3.

XIII. Any that will sue against any such offender may have a writ out of the Chancery for that purpose.

XIV. Stat. Stapul. 27. E. 3. Stat. 2. 2. A safe conduct is granted to Merchants Strangers (except alien enemies) to come and dwell in this Realm, and to return when they please, as also to sell their commodities, without having them taken from them against their will upon any colour whatsoever.

XV. If any officer or other offend against this Law, he shall be arrested by the Head-Officer of the place, if it be out of the Staple, and if within the Staple, then by the Major and Ministers of the Staple, and shall be speedily proceeded against according to the Staple Law, and not at the Common Law, and (being attainted thereof, shall answer double damages to the party grieved, and as much to the King.

XVI. All Commissions made or to be made to take such prices of Merchants shall be void.

XVII. Stat. 27. E. 3. Stat. 2. 3. All Merchants may buy Merchandise of the Staple, so as they bring them to the Staple.

XVIII. It shall be felony for an English, Welsh or Irish man to transport Wool, Leather, Woolfels, or Lead.

XIX. No English, Welsh, or Irish man shall transport Wool, Leather, Woolfels, or Lead in a Strangers name, or keep a servant beyond sea to survey the sale thereof, or to receive money there for the same.

XX. There shall be no Exchange of Wares for merchandise of the

the staple, but payment in gold, silver, or English, Welsh, or Irish merchandize; neither shall any merchants make any confederacie in fraud or deceit of this Ordinance; and all this upon the pains aforesaid.

XXI. Every man may carry his own Wool, Leather, Woolfells and Lead to the staple to sell them there; howbeit he shall then warrant the packing of his wools.

XXII. Stat. 27. E. 3. Stat. 2. 11. All Merchants may freely sell their merchandise at the staple in grosse or by retail without challenge or impeachment; but it shall be felony to forestall, buy, or give earnest for any merchandise before they come to the Staple or Port, or to enter the ship for that purpose.

XXIII. Stat. 27. E. 3. Stat. 2. 13. If a merchant lose his goods at sea by Piracie or Tempest (not being wreck) and they afterwards come to land, if he can make proof, that they are his goods, they shall be restored to him, in places guildable, by the Kings Officers and six men of the Countrey, and in other places, by the Lords there or their Officers, and six men of the Countrey.

XXIV. Stat. 27. E. 3. Stat. 2. 17. No merchant shall be impleaded for anothers trespasse or debt, whereof he is not debtor, pledge, or mainpernor: Howbeit if any of this Realm endamaged by foreign Lords or their subjects have not right done them, Letters of Mart shall be granted to repair them.

XXV. If any difference arise betwixt the King and any other Foreign Lord, who hath merchants here his subjects, those merchants shall have (by Proclamation) fourty dayes given them to depart, and if (for some just cause) they cannot go so soon, they shall have longer time given them, until they may conveniently depart, and shall in the mean time sell their merchandise, if they can.

XXVI. Stat. 27. E. 3. Stat. 2. 26. Merchants strangers upon letters of credence, or their oath shall be believed concerning the content of their merchandize, and shall pay 3 d. per libr. according to the content so testified, and their goods shall be thereupon immediately delivered unto them without unsealing or opening them, according to the Charter granted them by E. 1. and confirmed by this King. and all this in pain that the officer herein offending shall suffer imprisonment, pay quadruple damages to the party grieved, and as much to the King: And here the remedy shall be in Chancery.

XXVII. Stat. 38. E. 1. 2. Any merchant may use more merchandise then one, notwithstanding the Statute of 37. E. 3. 5. and may buy, sell and transport all kinde of merchandise, paying the custome

customs and subsidies due for the same, wool, and woollens only excepted.

XXVII. Stat. 2. R. 2. 1. Merchants strangers (not enemies) may buy and sell all things vendible within the Realm in grosse or by retail, except wines and great wares, as cloth of gold and silver, silk, sandal, napery, cloth, canvas, and the like, which are to be sold in gross or by whole pieces, in pain of forfeiture thereof.

XXIX. Here the priviledges of Prelates and Lords for purveyances, and the things provided for by the Statute of the Staple of Calais are saved.

XXX. Merchants may buy and sell in Fairs and markets in gross or by retail, notwithstanding this Statute.

XXXI. Disturbers of Merchants against this Act (being thereof attainted) shall render double damages, suffer a years imprisonment, and be ransomed at the Kings will.

XXXII. If right be not done to the party grieved in a Franchise; it shall be seised into the Kings hands; If out of a Franchise, the Lord or his Officers shall render to the partie grieved double damages.

XXXIII. The Chancellor, Treasurer, Justices assigned to hold pleas, and Justices assigned by special Commission shall hear and determine these offences.

XXXIV. Stat. 5. R. 2. Stat. 2. 1. Merchants strangers may come into this Realm, continue here, and depart at their pleasure, without disturbance or impeachment of any, and shall be friendly entertained and intreated of all.

XXXV. Stat. 11. R. 2. 7. The Statutes of 9. E. 3. 1. and 25. E. 3. Stat. 4. 2. are confirmed, notwithstanding any Charter, Proclamation, Custome, &c. to the contrary.

XXXVI. Stat. 14. R. 2. 9. Merchants strangers shall be courteously intreated, to the end they may be thereby the rather encouraged to come into this Realm.

XXXVII. Stat. 16. R. 2. 1. No merchant-stranger shall buy or sell within the Realm with another merchant-stranger to sell again; nor shall sell any merchandize by retail but victuals: Only wines he shall sell by whole vessels.

XXXVIII. The Statutes of 9. E. 3. 1. 25. E. 3. Stat. 4. 2. and 11. R. 2. 7. are confirmed.

XXXIX. Stat. 20. R. 2. 4. The Statute of 28. E. 3. 1. (which see in Staple) is Confirmed, notwithstanding any Ordinance or usage to the contrary.

XLI. Stat. 4. H. 4. 15. Merchants shall not export the money

money, which they receive for Merchandize imported, but shall bestow it upon Merchandize of this Realm, their reasonable costs excepted.

XLI. Stat. 5. H. 4. 7. Merchants Strangers shall be used in this Realme, as Merchants Denizens be in other Countries in paine that such Merchants Strangers shall forfeit their goods and suffer imprisonment.

XLI I. Stat. 5. H. 4. 9. Merchants Strangers shall give securitie to the Kings Customers and Controulers to imploy their money upon the Commodities of this Realm, their reasonable costs excepted.

XLI I I. The Statute of 4. H. 4. 15. is confirmed.

XLI V. Merchants Strangers shall sell their Commodities within a quarter of a year next after their arrivall, and employ the money received by exchange upon commodities of this Realm, in pain to forfeit the same money.

XLI V. No Merchant-stranger shall sell any Merchandize to another Merchant-stranger, in paine to forfeit the same.

XLI VI. The head-officer or officers of the Port, where a Merchant-stranger shall arrive shall assigne him an Host, with whom he shall reside, and the Host shall take for his paines as hath beene accustomed.

XLI VII. Stat. 6. H. 4. 4. The Clause of the Statute of 5. H. 4. 9. injoyning Merchant-strangers to sell their Commodities within a quarter of a year next after their arrivall, is repealed; saving the Liberties of London.

XLI VII I. Merchants Strangers shall not export any Merchandize imported by Merchants Strangers.

XLI X. Stat. 7. H. 4. 9. All Merchandize may be sold in Groesse in London as well to all the Kings people, and to the Citizens of London notwithstanding any Franchise or Libertie to the contrary.

L. Stat. 4. H. 5. 5. The Statutes of 5. H. 4. 7. and 5. H. 4. 9. touching the using of Merchants Strangers, are confirmed.

LI. Stat. 8. H. 6. 24. No merchant Alien shall constrain any of the Kings Subjects to pay him his debt in Gold, nor refuse to receive payment thereof in Silver, in paine to forfeit the double value thereof.

LI I. No English man shall sell his goods to a merchant alien but for present payment in money or for other merchandize to be presently delivered, in pain to forfeit the same.

LI I I. Stat. 3. E. 4. 5. Certain wares and merchandise, which

it is not lawful to bring into this Realm ready wrought, being things made by handy-craft-men; *see the Statute at large.*

LIV. Such wares taken upon the Sea, or coming a shore by wreck, and such as wrought in *Ireland or Wales* are excepted.

LV. Chief Officers of Cities, Townes, &c. shall have authority to make search for wares of that kind, which are defective But here *Saint Martins le grand* is excepted: *Howbeit this Statute was to stand in force but during the Kings wil, and therefore Quære, whether it be now in force.*

LVI. Stat. 17.E. 4. 1. *Pars inde* Every merchant Alien or other Stranger shall imploy the money by them received here, upon the merchandize of this Realme, or else (without fraud) put the same money in due payment, within this Realme, to be proved by the merchant, unto whom it is so imployed, or otherwise before the Customer, Controulor or head-Officer, or Officers of the Place, where it is so imployed, in paine to forfeit all his goods found within this Realm, and to suffer a years imprisonment; Onely his reasonable costs are to be deducted.

LVII. The forfeiture is to be divided betwixt the King and the Prosecutor,

LVIII. Stat. 1.R. 3.9. Italian Merchants, shall sell their Merchandize at the Port, where they land, in grosse, and not by retail, in pain to forfeit the aalue thereof.

LIX. They shall also sell their commodities brought thither within 8 moneths after their arrival, and shall within that time imploy the money received for the same upon English commodities (their reasonable expences deducted) and not make over that money by Exchange; And if within that time they cannot make off their wares they shall within two moneths after the said 8 moneths (or as soon as they can) convey them out of the Realm, in pain to forfeit the money so made over by exchange, and Merchandize sold after the 8 moneths, and not conveyed away as aforesaid or the value thereof.

LX. They may transport their merchandize from one port to another, so as they sell them within the said 8 moneths.

LXI. No Merchant-stranger shall be Host to another Merchant Stranger, unlessse they be of the same nation, in paine of 40 l.

LXII. No such Italian-merchant shall buy and sell any wool or woollen cloth within this Realm, neither shall they make any woollen cloth or deliver wool to that end, in pain to forfeit the value thereof.

LXIII. Stat. 1. R. 3. 12. No Merchant-stranger shall import

into this Realm to be sold, any Girdles, Harness wrought for Girdles, Points, Leather-Laces, Purses, Powches, Pinnes, Gloyes, Knives, Hangers, Tailor-sheers, Sifors, Andirons, Cobbards, Tongs, Fire-forkes, Gridirons, Stock-Locks, Keyes, Hinges, and Garnets, Spurres, Painted Glasses, Painted Paper, Painted Forcers, Painted Images, Painted Clothes, Beaten Gold or Silver wrought in Papers for Painters, Saddles, Saddletrees, Horse-Harnesse, Boots, Bits, Stirrups, Buckles, Chaines, Lattin-Nailes, with Iron Shancks, Turnets, Hanging Candlesticks, Holy-water stops, Chafing-Dishes, Hanging Lavers, Curtaine-Rings, Cards for wooll, Roane Cards (except Claspes for Garments) Sheeres, Buckles for Shoes, Spits, Bels, Hawkes-Bels, tinne and Leaden Spoons, Wyre of Latin and Yron, Yron-Candlesticks, Grates, Horns for Lanthorns, or any of the said wares readie made and wrought, in pain to forfeit the same or the value thereof, to be divided betwixt the King and the Prosecutor.

L X I V. Stat. 3. H. 7. 8. The Statute of 17. E. 4. 1. is confirmed and made perpetual.

L X V. Merchants of *Ireland*, *Jernesey*, and *Garnesey* are made liable to the same law upon the like paines.

L X V I. Customers or Controulers shall take security of merchants strangers to observe the said law.

L X V I I. Stat. 12. H. 7. 6. Every Englishman (being the Kings true liegeman) may freely trade at the Marts in *Flanders*, *Holland*, *Zealand*, *Brabant*, and other of the Archduke of *Burgoinnes* Countries without any exaction, fines or other contribution whatsoever to be levied of him by the Fellowship of merchants in *London*, or by any other for their use, or of any other such fraternitie (10 marks onely excepted) and none shall in such case take or levie upon any person any such exaction (more then the said 10 marks) in pain to forfeit 20 l. to the King, and 10 times so much as they shall take more then the 10 marks aforesaid to be recovered by action of debt, &c.

L X V I I I. Stat. 1. El. 11. None shall lade or unlade into or out of any Ship or other Vessel any goods, wares or merchandize whatsoever (Fish taken by Englishmen onely excepted, and unless it be upon a lecke or wracke) to be imported or exported, but only in the day time, viz. from the 1 of *March* untill the last of *September*, betwixt Sun-rising and Sun-set, and from the last of *September* to the 1 of *March* betewene the houres of 7 and 4, and that in such places, as the Queen shall (by Commission) before the 1 of *September* next assigne for that purpose in pain to forfeit the goods, wares, or merchandise otherwise laden, or unladen of the value thereof.

LXIX. The places so to be assigned shall be at *London, Southampton, Bristol, Westchester, Newcastle*, and in all other places (*Hull* only excepted) where there is a Customer, Controulers, and Searcher.

LXX. The Owner, Master or other having the charge of any Ship or other Vessel, which doth offend against this law, shall forfeit 5 *l.*

LXXI. The Master or other having charge of the Vessel, shall acquaint the Customer, or other officer with the times of his lading and departure, as also what persons are to have lading with him, and shall answer such questions concerning his loading as shall be demanded him by such officer, upon oath; or otherwise; and all this in pain of an 100 *l.* the like shall be observed when he imports any merchandize, *vice versa*, and upon the like pain.

LXXII. None shall enter any goods in the Customers books but in the right owners name, in pain to forfeit the value thereof.

LXXIII. If any officer of the Custome-house conceale any offence committed against this Act, and disclose it not within a moneth unto the Chief officer there, or unto the Lord Treasurer, Chancellor, under-Treasurer, or one of the Barons of the Exchequer, or unto the Attourney-General he shall forfeit 100 *l.*

LXXIV. Customers, Controulers and Searchers have power to make Deputies in Ports, Creeks, and Roads, and both they and their Deputies shall duely and faithfully execute their offices, in pain of 100 *l.* and to lose their places.

LXXV. Such custome shall be paid for sweet wines, as hath formerly been paid for Malmesey.

LXXVI. This Act shall not infringe the liberties granted to the Isle of *Anglesey*, and the Counties of *Flint* and *Carnarvan*, so as they pay the due customes, and subsidies, and lade and discharge within the times and hours above-mentioned.

LXXVII. Stat. 43. El. 12 The Lord Chancellor (or Keeper) shall award a standing Commission (to be renewed yearly, or as often as to him shall seem meet) for the hearing and determining of all such causes arising, and policies of assurances, as shall be entred in the office of Assurances in *London*.

LXXVIII. This Commission shall be directed to the Judge of the Admiralty, the Recorder of *London*, two Doctors of the Civil Law, two Common Lawyers, and eight grave and discreet merchants, or to any five of them, which Commissioners, or the greater part of them shall have power to hear, examine, order and decree all such causes in a brief and summary course, as to their discretion

shall seem meet without formalitie of pleadings or proceedings.

L X X I X. The Commissioners have also power to summon the parties, examine witnesses upon oath, and commit to prison such as contemn or disobey their orders or decrees: They shall meet and sit once a week (at least) in the Office of Assurances, (or some other convenient publique place) for the execution of the said Commission; And no fees at all shall be there exacted by any person whatsoever.

L X X X. If any be grieved by their sentence or decree, he may exhibit his bill in Chancery for the re-examination thereof, so as he first satisfie the sentence so awarded, or deposit with the Commissioners the summe awarded, and then (albeit he be imprisoned) he may be enlarged; And here the Lord Chancellor (or Keeper) hath power to reverse or affirm every such sentence or decree, and (in case it be affirmed) to award the party *Assured* double costs.

L X X X I. No Commissioner shall meddle in the execution of this Commission in any cause, wherein himself is party *Assurer* or *Assured*, nor until he have taken his corporal oath before the Major and Court of Aldermen, to proceed uprightly and indifferently between party and party, onely the Judge of the Admiralty and Recorder are excused from such oath.

L X X X I I, Stat. 3. Jac. 6. All the Kings subjects shall have free trade into and from Spain, Portugal, and France, notwithstanding the late grant of an Incorporation to prohibit the same, or any other Act or thing whatsoever to the contrary.

L X X X I I I. Provided, that this Act shall not give liberty for any person to go beyond sea, who by law is restrained from going without licence.

L X X X I V. Stat. 3. Jac. 9. No merchant or other shall dress or cause to be dressed in his house, or by any workman (being no Skinner) appointed by him for that purpose, any black Conie-skins of this Realm, nor transport any such or pack them to be transported, before they be tawed, and duely wrought by such as are Artizan Skinners, or Tawers under them, in pain to forfeit them or the value thereof.

L X X X V. No merchant shall buy or contract for any Conie-skins or Lamb-skins under the number of 1000 black Conie-skins, 3000 grey Conie-skins, and 2000 Lamb-skins at one and the same time, to be so bought, and delivered intirely together, & not by parcels, except they be bought of the Artizan-skinners; neither shall the merchant sell them again in lesse parcels then as aforesaid (onles to the said Artizan-skinners) in pain to forfeit the same or the value thereof.

LXXXVI.

LXXXVI. None shall retaine any Servant, Journeyman; or Apprentice to work in the trade of a Skinner, unlesse he himself hath served seven years as an Apprentice in the same trade, in pain to forfeit the double value of his ware so wrought.

LXXXVII. The forfeitures aforesaid are to be divided betwixt the King and the feiser or prosecutor.

LXXXVIII. Stat. 4. Jac. 9. The general Statute of 3. Jac. 6. neither doth nor shall dissolve or impeach the Charter of Incorporation granted by Qu. El. to certain Merchants of *Excester* and their successors.

Marshalsey.

I. Artic. super Cart. 3. 28. E. 1. The Stewards and Marshals of the Kings house shall not hold plea of freehold, debt, covenant, or contract, but only trespasss done in the house or Verge, or of contracts and covenants when both parties are of the house: and the plea of trespassse shall be determined before the Kings departure from the Verge, where the trespassse was committed, and therefore the plea therof shall be speedy, *de die in diem*, and if the plea cannot be determined in time, the plaintiffe shall (in such case) have recourse to the Common Law.

II. The Steward shall from hence forth take no consuance of debt or other things, but of people of the same house, nor shall hold plea by obligation made at the distresse of the said Stewards or Marshals: And if any thing be done contrary to this Act, it shall be holden void.

III. In case of death within the Verge where the Coroner is to make view, the Coroner of the County together with the Kings Coroner shall do his office, and enrol it: And what cannot be determined by the Steward before the Kings departure, shall be remitted to the Common Law; so that Exigents, Outlawries, and presentments shall be made thereupon in Eyre by the Coroner of the County, as in case of other Felonies done out of the Verge: Howbeit they shall not omit by reason hereof to make attachments freshly upon the felonies done.

IV. Stat. 5. E. 3. 1. Part inde. and 10. E. 3. Stat. 2. 2. Inquests before the Steward and Marshal of the Kings house shall be taken by men of the Countrey thereabouts, and not by men of the Kings house, except it be contracts, covenants, or trespassses, when both parties are of the same house, and in the house.

V. Stat. 9. R. 2. 5. Priests and others of Holy Church, taken in the

the Marshallsey, shall pay such fees as Lay-people pay and no more.

VI. Stat. 13. R. 2. Stat. 1. 3. The jurisdiction of the Steward and Marshal of the Kings house shall extend no further then 12 miles from the Kings lodging.

VII. Stat. 4. H. 2. 23. The fees of the Marshall of the Kings house shall be as in times past, and no more, *viz.* for him that cometh in by *Capias*, 4 *d.* and if he be bailed, 2 *d.* more; of the defendant in trespass that findeth bail to answer the suit 2 *d.* for every commitment by judgement, 4 *d.* of every one delivered of felony, and of a felon bailed by the Court 4 *d.* And if the Marshal or his officers take more, they shall lose their offices, and pay treble damages to the party grieved, and that the party grieved have his suit before the Steward of the same Court.

VIII. Here, a server of bills shall take no more then 1 *d.* for every mile distant from the Court to the place where he doth his office; but when he serves a *venire facias* or a *distringas*, he shall have the double, If such an officer takes more, he shall be imprisoned, make a fine to the King at the discretion of the Steward, and be from thenceforth fore-judged the Court.

IX. Stat. 15. H. 6. 1. In a suit commenced before the Steward and Marshal of the Kings house, the defendant shall not be estopped to plead, that the plaintiffe or he are not of the Kings house; but his averment thereof shall be received, notwithstanding any record of the same Court to be produced to the contrary.

Marshes and Fens.

I. Stat. 4. Jac. 8. An Act for winning from Inundation the drowned grounds and Marshes of Lesnes and Fants in Kent, by the 10 of October, 1609: see the Statute.

II. Stat. 4. Jac. 13. Another for draining the Fens and low grounds in the Isle of Ely, conteining about 6000 acres, compassed about with banks called the Ring of *Waldersley* and *Coldham*: see also the Statute.

III. Stat. 7. Jac. 20. A meane to recover a great quantity of ground, lately furrondred in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future: See the Statute.

Masons.

I. Stat. 3. H. 6. 1. It shall be felony to plot confederacies amongst Masons,

Masons, and such as assemble upon such confederacies shall suffer imprisonment, and make fine and ransom at the Kings will.

Matrimony and Marriage.

I. Stat. 32. H. 8. 38. *pari ind.* All Marriages shall be adjudged lawful, that are not prohibited by Gods Law.

II. Stat. 2. 3. E. 6. 21. All Laws, Canons, Constitutions, and Ordinances, which prohibit marriage to spiritual persons, (who by Gods Law may marry) and all pain and forfeitures therein contained shall be void.

III. Provided, that this Act shall not give liberty to marry without asking in the Church and other Ceremonies appointed by the Book of Common Prayer.

IV. Degrees and divorces heretofore made are saved.

V. Stat. 5. E. 6. 12. The marriage of Priests and other spiritual persons shall be lawful, and their Children legitimate and inheritable, likewise they to be tenants by the Courtesie, and their wives indowable.

VI. Stat. 1. Jac. 11. A Bigamus shall suffer death as a felon, unless he or shee have had no notice, that the husband or wife was living within seven years before, or the marriage be severed by divorce.

VII. This felony shall cause no corruption of blood, or losse of dower or inheritance.

Mesne:

I. Stat. westm. 2. 13. E. 1. The tenant distrained by the Chief Lord may have a writ of *Mesne* in the County (where he is distrained) against the Mesne, who having land in that County, and not appearing till the *Grand* distress, day shall be given in the *Grand* distress, so as two Counties may be holden before the return, wherein the Sheriffe shall proclaim, that he come to answer the tenant at the day, at which day, if he come not, he loseth his service, and then the tenant shall answer to the Chief Lord such services, as he ought to have done to the Mesne.

II. The Chief Lord shall not distress the tenant, so long as he offers him the services due; and if the Lord exact more then the Mesne ought to do, the tenant may have such remedy, as the Mesne might have had.

III. Upon a return, that the Mesne hath nothing to be summoned

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ed by, an attachment shall go out, and then upon a *Nihil* returned, the *Grand distresse* with Proclamation as before.

IV. The Mesne having no land in that County, but in another, upon such a return by the Sheriffe the party shall have a writ judicial to summon the Mesne in that County, where it is testified, that he hath lands, and both there and in the other County shall proceed to the *Grand distresse*, Proclamation, and judgement, as before.

V. The Mesne coming into the Court, and acknowledging, or being adjudged to acquit the tenant, and not doing it, the tenant shall thereupon have a judicial writ of acquital; whereupon if the Mesne come in, and the tenant can aver that the Mesne hath not acquitted him, he shall be satisfied his damages, be quit of the Mesne and hold of the Chief Lord: And here also, if the Mesne come, not at the first distress, then another distress shall go out, Proclamation shall be made, and judgement had, as before.

VI. This Statute extendeth onely, where there is but one Mesne between the Lord that distreineth and the tenant, the Mesne also being of full age, and the Tenant, tenant in fee-simple.

Monasteries, Abbeyes, Priories, Colledges, Free-Chappels, Hospitals, Chanteries, their Governours, and Possessions, and also all other Religious persons.

I. *Parlbz. 28. 52. H. 3.* If wrongs or trespasses be done to Abbots or other Prelates of the Church, and they die before Judgement given thereof, whether or no the suit be commenced in their life-time, yet their successors shall have actions to demand the goods of their Church out of the hands of such trespassers.

II. The successors shall also have a writ to recover seisin of their lands intruded into in time of vacation, and therein damages shall be awarded them as in Assizes of *Novel disseisin* is used.

III. *Stat. 1. 1. 3. E. 1.* The Peace of the Church and Realme shall be duely kept; and Religious houses shall not entertaine any at the charge of the house, save onely the Founders, &c. neither shall any charge them, in pain of Imprisonment to make fine and to be otherwise punished at the Kings will.

IV. No purveyance shall be made of a Prelate, without his consent.

V. The Sheriff shall not ride with above 5 or 6 horse, nor indamage Religious persons by lodging too often at their houses or Mannors.

VI. [Artic. Cleric. 11. 9. E. 2. Religious houses shall not be charged by compulsion, with Corodies, Pensions, resort, or taking of their horses or carts, upon the paines ordained by the Statute of West. 2.

VII. Stat. 1. E. 3. Stat. 2. 10 There shall be no more grants of Pensions, Prebends, Churches, or Corodies (at the Kings request) by Bishops, Abbots, Priors, Abbesses, or Prioreesses.

VIII. Stat. 17. H. 8. 28. All Monasteries, Priories, and other Religious houses of Monks, Canons, and Nuns which have not above the cleere yearly value of 200. l. per annum are given to the King and his heires, to have and hold the same in as large and ample manner as they enjoyed them: And all grants thereof made or to be made by the King to others are confirmed; The right of others (having any profit out of the same) being saved.

IX. Fraudulent conveyances made by Governours of such houses within one year next before the making of this Act shall be void; Howbeit all Leases upon the accustomed rents, and grants of accustomed offices Fees, or Corodies are saved.

X. All Ornaments, Jewels, Goods, and Debts, which they had the 1. of March 1535, or at any time since, are also given to the King.

XI. The King shall have the actual and real possession of the said houses without Inquisition of office, so that he may lawfully grant them at his will and pleasure.

XII. Cels which are onely Obediencers to the Abbeyes and Priories dissolved by this Act, shall still remain undissolved notwithstanding this Act; The right also of Founders, Patrons, and Donors is saved.

XIII. Stat. 27. H. 8. 27. Pars inde. Upon the grant of Abbey Lands in fee, a tenure in Capite shall be reserved to the King, and also a yearly payment of the tenth part of the yearly value, mentioned in the Letters Patents.

XIV. Stat. 31. H. 8. 13. The King and his heires shall have all the Monasteries, Abbeyes, Priories, Nunneries, Colledges, Hospitals, Priories of Priors, and other religious houses and places, together with their estates, which since the 4. of Febr. 27. H. 8. have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other means are come into the Kings hands, in as large and ample manner, as the Governours thereof held them, in right of the said houses.

X V. All

X V. All Religious houses dissolved and to be dissolved together with the revenues to them belonging shall be in the actual possession of the King.

X V I. These Abbey lands (except such of them as shall come to the King by attainder of Treason) shall be within the survey of the Court of Augmentations.

X V I I. Here, the right of all others is saved, save onely for rents service, rents seck, and all other services and suits, which are excepted out of the said saving:

X V I I I. Provided that all leases of any such Religious or Ecclesiastical house, or of any hereditaments thereunto belonging, granted within one yeare next before the dissolution thereof, which hath not heretofore been usually demised, or whereof there was a former lease in being, or whereupon such ancient yearly rent is not reserved, as hath been usually paid for the same twenty yeares next before the beginning of this Parliament, and also wood-sales made within one yeare, as aforesaid; shall be void.

X I X. Also All Feofments, Fines, and Recoveries of such lands (whereof the King was Founder) made, acknowledged or suffered by the Governours or Governesses thereof, without the Kings licence within one yeare next before such dissolution, shall be void.

X X. The like provision is made for making void leases and wood-sales of lands belonging to such Religious or Ecclesiastical houses, as are hereafter to be dissolved: Also all feofments, fines and Recoveries of such lands (where the King is Founder) made, acknowledged, or suffered by the Governours or Governesses thereof, shall likewise be void.

X X I. Leases for yeares not exceeding 21, made a yeare before this Parliament, or the dissolution of such house, and whereupon the accustomed rent is reserved, and where a former term therein is not expired at the making of such lease, shall be good, notwithstanding this Act: so also is a Lease for life or lives granted a yeare before dissolution to the old tenant, or the former lease for life or yeares being not expired, and the accustomed rent being reserved.

X X I I. Grants also for life by Copic of Court-Roll, according to the Custome, where the old rent is reserved shall be good.

X X I I I. Leases examined, enrolled, decreed, or affirmed in the Court of Augmentations (albeit they be made within the yeare) shall be good.

X X I V. Where any hath paid money for wood, and by this Act is abridged from having his bargain, he shall be relieved therein by the Chancellor and other officers of the said court, or any 3 of them where

whereof the Chancellor is to be one, and if any other hath taken the wood, he shall make satisfaction for the same to the party grieved.

XXV. Grants to other persons by such Religious persons with the Kings consent and licence under the great seal, shall be good: Howbeit here, the right of others is saved.

XXVI. A confirmation of the Kings exchanges and purchases since the fourth of *February*. 27.H.8. Howbeit, here also the right of all persons but the exchangees and bargainees is saved, rents service, rents seck, and other services excepted.

XXVII. The Kings Letters Patents of Lands, or other hereditaments granted since the fourth of *February*, 27.H.8. and within three years after the making of this Act, shall be sufficient, notwithstanding misrecital, non-recital, mis-nomer, cause, consideration, or thing material to the contrary: Here also the right of all others (save of the King, and the Governours and Governesses) is saved.

XXVIII. Such Lands, Parsonages appropriate, &c. belonging to the said Religious houses as before their comming into the Kings hands, or dissolution, were discharged of tithes, shall so continue.

XXIX. All rents, services, and other duties are saved to the King, notwithstanding this Act.

XXX. Such Monasteries, &c. As were heretofore exempt from the jurisdiction of the Ordinary, shall from henceforth be within the jurisdiction and visitation of the Ordinaries, in whose Diocess they shall be scituate.

XXXI. The grant of the Abbey of *Sipton* in *Suffolk* is confirmed to the Duke of *Norfolk*, and the Colledge or Chantery of *Cobham* in *Kent* to the Lord *Cobham*, notwithstanding this Act: The right of others being saved.

XXXII. Stat. 37. H. 8. 4. All Colledges, Free-Chappels, Chanteries, Hospitals, Fraternities, Brother-hoods, Guilds, and other promotions, made to have continuance for ever, and chargeable with first-fruits and tenths, and also all the Mansion-houses, manors, lands, tenements, hereditaments, rights, members and appurtenances unto them belonging; which between the fourth of *February* 27.H.8. and the 25 of *December*, 37.H.8. were dissolved, relinquishad, or otherwise extinct (other then such of them as now are or were in the Kings possession, or have been granted by the Kings licence, or recovered by a former right or title) shall be adjudged in the actual possession of the King, and of his heirs and successors,

cessors, in as large manner, as the Governours, Incumbents, Patrons, Donors, or Founders of them, or any of them have since the said fourth of February, 27.H.8. enjoyed the same, or do now enjoy them.

XXXIII. All Covenants, Bonds, and Grants of any Rent or Annuity made to any Chantery Priest, or other, having any of the said promotions, in consideration of any bargain, grant, or other assurance of the said promotions, or any part thereof shall be void.

XXXIV. Every person (being in life) which for any summe of money hath sold any of the said promotions, shall repay (upon request) unto the Bargaine, his executors or assignes, the money so received: And for non-payment thereof the said Bargaine shall maintain an Action of debt against them, that so sold the same unto the said Bargaine or his testator, in which action no cistine, &c. shall be allowed.

XXXV. All gifts, grants, surrenders, and other assurances made to the King of any of the said promotions between the said fourth of February and the 25 of December, shall be good against the bargainors, their successors and assignes, and also against their Founders, Donors, and Patrons, heirs and successors.

XXXVI. All Letters Patents made by the King of any of the said promotions or any part thereof, and all assurances thereof made (with the Kings assent) by any having such promotions shall be good, against the grantors, their heirs and successors, and against their Founders, Donors, and Patrons, their heirs and successors.

XXXVII. The King (during his life) may direct commissions (by warrant to be signed by his own hand) to such persons as he shall think fit, giving them power to enter into so many of the said promotions, (chargeable with first-fruits and tenths) as shall be expressed in such several commissions, and to seize and take the same into the Kings possession, to have and hold the same to him, his heirs and successors.

XXXVIII. The Commissioners (or any two of them) may enter into any part in the name of the whole, and by such their entry and seizure (albeit the lands be in several mens occupations, or lie in several Counties) the King shall be adjudged in the actual possession thereof, without any inquisition, office, or other entry.

XXXIX. The Commissioners (or any two of them) after such seizure made shall certify and return every such Commission (making

king mention in writing of their doing therein, according to the words and authority thereby given them.

XL. All such Chanterles and other promotions aforesaid (seised and to be seised, as aforesaid) shall be within the order and survey of the Court of Augmentations; and all suits tending to the detriment of the Mannors, lands, and other hereditaments belonging to them shall be also heard and determined in that Court; Howbeit suits between party and party concerning the said Mannors, Lands, &c. shall be heard and determined by the Common Law and Statutes of this Realm, and not in the said Court.

XLI. All Assurances made of any Inheritance or Free-hold (without the Kings Assent) by any Chantery Priest, or other Governour, having any of the said promotions (being not made to the King) shall be void, as well against the King, as against the successor of such Chantery Priest, or other Governor.

XLII. The right of others is saved, other then the Governours and their Founders, Patrons, or Donors, their heirs, and successors, and other then such persons, their heirs, successors, and assignes, as claim any free-hold or inheritance by conveyance from any such Governour, without the Kings assent thereto.

XLIII. If any such Governour within one year before the 23 of November in the 37. H. 8. hath made, or shall hereafter make any lease for life or years, of any such promotion, or any part thereof, which was not for the more part of 20 years before such Lease let to farm, but in their own occupation: Or within the said time hath made or shall hereafter make, any such Lease in reversion, the old Lease not being then expired; Or within the same time hath made or shall hereafter make any such Lease, without reserving the accustomed yearly rent paid for the same 20 yeares next before the said 23 of November: Or have made any Wood-sale, the Woods being yet standing, that then every such Lease and grant shall be void.

XLIV. This Act shall not extend to any Lands or other Hereditaments, whereof such Governours now are, or hereafter shall be seized or possessed to their own use, nor united or annexed to their promotions; nor to Lands or Pensions granted or to be granted by the King unto such Governours (for life only) under the Great Seal or the Seal of the Augmentations.

XLV. The Governours, from whom the King (by force of this Act) taketh any Lands, &c. shall be proportionably abated for the same, in their Tents and First-fruits.

XLVI.

XLVI. Every person having any Annuity, or rent issuing out of any such promotion, shall still enjoy them notwithstanding this Act: Also he that hath bought and paid for any wood, shall have his money again, or the same wood.

XLVII. All payments for the first-fruits, hapning after such seizure, as aforesaid, are discharged.

XLVIII. All Rents, Services, Issues, and profits, payable out of such promotions into the Exchequer, shall be still continued, notwithstanding this Act.

XLIX. Stat. 1. E. 6. 14. All Colledges, Free Chappels, and Chanteries *in esse*, within five years before the first day of this Parliament which were not in the actual and real possession of the late King, nor of E. 6. nor excepted in the said Statute of 37.H.8.4. (other then such as by the Kings Commission shall be altered) and all Mannors, Lands, Pensions, Hereditaments, and things belonging to them; And all Mannors, Lands, &c. given or limited for the finding of a Priest, to have continuance for ever, and wherewith a Priest hath been maintained within the said 5 years (which were not in the actual possession of H. 8. or E. 6.) and all rents, profits and emoluments within the said five years employed towards or for the maintenance of a stipendary Priest, intended by any Act or Writing to have continuance for ever, shall be adjudged, and be in the actual and real possession of the King, his heirs and successors, without any office or other inquisition, in as large manner as such Priests or other Governours, or Incumbents thereof at any time within the said five years enjoyed the same.

L. All Mannors, Lands, &c. appointed for the maintenance of such Priests, to have continuance for a term of years not yet expired, are also given to the King during such term onely, and no longer, and then it shall be lawfull for the Revershouer to enter without livery, *Ouster le main*, petition, or other suit to be made to the King for the same.

LI. The King shall also have all lands, tenements, rents, and other hereditaments given for the maintenance of an Anniversary or Obit, or other like intent, or of any light or lamp in any Church or Chappel, to have continuance for ever, which hath been so maintained within five years above-limited.

LII. Where an Anniversary, Obit, Light, Lamp, or the like is kept or maintained out of part of the issues of any lands, &c. the King shall have so much yearly rent issuing out of the same lands as such charge did amount unto in any one year within the said five years.

years, to be paid yearly by even portions at *Michaelmas* and *Lady-day* into the Court of Augmentations, or such other Court, as the King shall appoint, and upon non-payment thereof it shall be lawful for the King, his heirs and successors to distrein for the same. And if there be no distresse to be had; and the rent be unpaid by the space of a moneth after it should be paid, in such case the King shall seize part of the lands (of like value) to answer the rent, to have and hold them to him, his heirs and assigns, or for so long time, as he so was to have the issues out of the said lands.

LIII. The King, his heirs and successors shall have all summes of money, profits, commodities, and emoluments, appointed to have continuance for ever, which in any one year within the said years have been imployed by any Corporation, Guild, Fraternity, Company, or Fellowship of any Mystery or Craft, or by any Governour or Governours towards the maintenance of any Priest, Anniversary, Obit, Lamp, Light or the like, to be paid yearly as a rent charge at *Michaelmas* and *Lady-day* by even portions in the said Court of Augmentations or in any other Court; that the King shall appoint.

LIV. The King hath power to distrein the said Corporations, Guilds, &c. for the said money, which shall be in the actual possession of the King without any inquisition or office.

LV. The King shall have to him, his heirs and successors, all Fraternities, Brotherhoods, and Guilds, and all their lands, &c. (other then those above-mentioned) and they shall be also in the actual possession of the King without any inquisition or office.

LVI. The King may direct Commissioners to such persons as he shall think fit, which Commissioners, or any two of them shall have power to survey all Lay-Corporations, Guilds, Fraternities, Companies, and Fellowships of Mysteries, or Crafts incorporate; and all other Fraternities, Brotherhoods and Guilds within the limits of their Commission; and also all Evidences, Compositions, Books of Accompts, and other writings, thereby the better to discover what money or other thing was paid for the finding of a Priest, Anniversary, &c. And likewise to inquire, what Mannors, Lands, Tenements, Rents, and other hereditaments are given to the King by force of this Act.

LVII. The Commissioners (or any two of them) have power (where Guilds, Fraternities, or Chantery Priests having been in esse from *Michaelmas* last to the first day of this Parliament, ought by their foundation to have kept a Grammar-Schoole or Preacher)

ther) to assigne lands to continue in succession to a School-master or Preacher for ever towards the keeping of a Schoole and preaching, and for such other good purposes, as to them shall seeme meet: And likewise to make a Vicar to have perpetuity for ever in every Parish, being the first day of this Parliament a Colledge, Free-chappell or Chantery, or united unto any of them: And also to endow such Vicar sufficiently without any licence or grant from the King, Bishop, or other officers of the Diocesse.

LVI. These also have power (in Great Towns, where more Priests are necessary) to assigne such lands for the maintenance of one or more Priests there, as they shall think fit; And also to give Rules for the service, use and Demeaner of such Priests and School-masters, as aforesaid, and to set down by what name or names they shall from thenceforth be called.

LIX. The Commissioners shall also assigne such yearly pensions to every Governour, Fellow, and servant of every such Colledge, Free-Chappell or Chantery, to continue during their several lives, as to them shall seeme fit.

LX. The Commissioners shall inquire what money or other profit any poor person enjoyed within 5 years before this Parliament, and to give order for the payment thereof, and to assign lands for that purpose, that it may have continuance for ever: And also to appoint lands to Fraternities, Brother-hoods, and Guildes for the Maintenance of Piers, Jutties, Walls, and Banks.

LXI. The Receivers of the Respective Counties, where such pensions are allowed by the Commissioners, shall readily pay them without fee, and shall be allowed his upon their accompt.

LXII. The Commissioners shall make oath, that they shall beneficially execute their Commissions towards the Deans, Masters, Wardens, Provosts, and other Incumbents aforesaid, as also towards the Poor, and the maintenance of Piers, Jutties, &c. And all orders by them (or any two of them) certified into the Court for Augmentations (or other Court to be assigned by the King) shall be as effectual, as if they had been ordained by Parliament.

LXIII. Howbeit they shall not allow more to any Dean, Master, &c. then they enjoyed before; and when he is promoted to better means, it shall cease.

LXIV. The Commissioners (or two of them at least) shall within one year after the Commission to them directed, make certificate of such assignments, as they have made, in paine of 100 pounds.

LXV. The King shall have all the goods of every Colledge, Chantery, Free-Chappel, Chantery or Stipendary Priest, belonging to the furniture or services of their severall Foundations, and superstitiously abused: Howbeit their debts shall be paid by the King.

LXVI. This Act shall not extend to any Colledge or Hall in the Universities, the Free-Chappel at *windsor*, the Colledges of *winchester* and *Eaton*, *Newton* Chappel in the Isle of *Ely*, nor to any of the lands belonging to them; nor to any Chappel of Ease; nor to any Chappel, whereunto onely a Churchyard, a little house or Close doth belong; Nor to any Cathedral, where there is a Bishops See, nor to their lands, other then such Chanteries, Obits, Lights and Lamps, used within such Cathedrals within five yeares before this Parliament, and unto which this Act doth extend.

LXVII. The King may (during his life) alter the Names of such Chanteries and their Foundations.

LXVIII. The right of all persons (except onely the Governors, Incumbents, &c. of such Chanteries, &c. their Founders, & the heirs and successors of every of them, also the grantees or any of the premises to the uses aforesaid, or to the use of any such Chantery, &c. or without the Kings licence) is saved; likewise all services, rents, annuities, profits, and offices, of right due to the Founders, Donors, &c. and leases made before the beginning of this Parliament, whereupon the accustomed rent is reserved, are saved.

LXIX. The bargainer of any of the premises or his executors shall repay unto the bargainee, his executors or administrators the money received upon sale thereof, within 3 moneths after request thereof made, and upon non-payment thereof such bargainee shall recover it by action of debt, wherein no esoine, &c. shall be allowed.

LXX. The premises given to the King by this Act together with their revenues shall be within the survey of the Court of Augmentations, or such other Court as the King shall appoint.

LXXI. All leases made by the said Governours, Incumbents, &c. since the 23 of *November* 37. H. 8. whereupon the old rents are reserved, shall be void; but all others shall continue in force.

LXXII. This Act shall not extend to any lands, whereof such Governours, Incumbents, &c. are seised or possessed to their own uses, and not annexed to such Chanteries, Free-chappels, &c. nor to any Mannors, lands, pensions, &c. (not parcel of the premises

ses granted by H. 8. or granted or to be granted by E. 6. to any of the said Governours, Incumbents, &c.

LXXIII. Every person, which had any rent or yearly profit out of the lands of any Chantry, &c. shall still enjoy them, notwithstanding this Act.

LXXIV. All payments of first-fruits to be made by any such Governour, Incumbent, &c. after the beginning of this Parliament, shall be remitted.

LXXV. Payments answered yearly into the Exchequer out of premises shall be still continued.

LXXVI. All Assurances made of the premises by H. 8. or E. 6. or by either of their licence, or to either of them by any such Governour, Incumbent, &c. shall be good: The right of others being saved.

LXXVII. This Act shall not extend to make good any grant made by any Parson or Vicar; nor to prejudice the Lord Cobham, or any Corporation, or the Chantry of *Attleborough* in *Norfolk*.

LXXVIII. All such Chantries, Free Chappels, &c. given to the King by this Act, as are within the Duchy of *Lancaster* (together with their lands, &c.) shall be within the survey of the Duchy-Court; And all Commissions to be issued out concerning them shall be under the great Seal, but shall be certified into the said Duchy.

LXXIX. The King may impower Commissioners to alter the nature and condition of Obits to better uses; And none shall take advantage of any remainder, use, or condition, for not finding of a Priest, Obit, Anniversary, Light, or Lamp.

LXXX. This Act shall not extend to give Copyhold-lands to the King, but the said Incumbents shall have them during their lives towards their maintenance.

LXXXI. This Act shall not extend to lands recovered from a Chantry Priest by a good title without fraud.

LXXXII. All Letters Patents made by H. 8. and E. 6. of Chantry-lands and other the premises are confirm'd.

LXXXIII. *Stat. 1.2. P. M. 8. pars inde.* None shall molest any person for any Abbey-Lands, in pain to incur a *Premunire*: *vide 1. 81. 1.*

Money.

I. *The Statute of great money, incerti temporis.* None upon grievous forfeiture shall expend, utter, or receive any money or any other Coyne then English, Irish, or Scotch, nor import more money into

into this Realm, then may serve him for his expences, nor land (unlesse forced by tempest) at any other then the known Ports, and there shall shew his money to such Person as the King shall assigne without concealment, in paine to forfeit his body and moneys.

II. None shall hide his money within Clothes, Fardells, Bales, or otherwise, in pain that the finder thereof shall have 4 *d.* for everypound so found, and the King the rest; And the bodie of him, in whose hands any false or clipt money shall be found, shall be arrested, until he find suretie, if he be a suspicious man: Also he that finds any other coine than English, Irish, or Scotch, shall break the same, and restore the pieces to the partie that owes it, and none shall oppose him, in pain of great forfeiture: but false money shall be pierced without restoring it.

III. Because poor people cannot well discover light moneys, they shall receive and pay them by weight of 5 *s.* of even weight by the Tumbrel; to be delivered unto them by the Warden of the Exchange, and marked by the Kings Mark, and it shall be lawfull for any man to pierce money not weighing the Tumbrel: Howbeit, 4 *d.* shall be allowed in every pound weight (*being then 20 s.*) and feit be only worne, 6 *d.*

IV. **The Statute** of small money, 20 *E. 1.* No merchant or other shall import into this Realm any money clipt or counterfeited, or traffick therewith, in pain for the first time to forfeit the money; for the second, the money and all his goods, for the third, his body; and goods.

V. Others which have clipt money, shall pierce it, and carry it to the Kings Exchange to be new coined.

VI. **Stat. 9. E. 3. 1.** None (without the Kings licence) shall export any gold or silver in money or plate, in pain to forfeit the same.

VII. **Cap. 2.** None shall import into any of the Kings Dominions any false or counterfeit money in pain to forfeit the same; Howbeit, any person (stranger and other) may bring to the Kings Exchange good money or bullion, and receive convenient exchange for the same.

VIII. **Cap. 3.** Small money (*viz.* halfe-pence or farthings) shall not be molten into Vessel or any thing else, by any Goldsmith, in pain to forfeit the money so molten, and to suffer imprisonment untill he hath paid the one halfe thereof.

IX. **Cap. 4.** Black money shall not be current in this Realm.

X. **Cap. 5.** The prosecutor against the offenders of this Statute shall be allowed a fourth part of the forfeiture.

X I. *Cap. 6.* There shall be no defrauding of this Statute.

X I I. *Cap. 9.* Search shall be made for money exported, and false money imported.

X I I I. *Cap. 10.* The Searchers shall have the fourth part of the forfeiture.

X I V. *Cap. 11.* Hostlers (*viz. Inne-keepers and Victuallers*) shall be sworn to search their guests.

X V. *Stat. 18. E. 3. Stat. 2. 6.* Money shall be made and exchanges ordained where the King shall please.

X V I. *Stat. 25. E. 3. Stat. 5. 13.* Money shall not be impaired in weight or alloy.

X V I I. *Stat. 25. E. 3. Stat. 5. 20* Plate of gold and silver shall be received into the Kings Mint by weight, and not by number, and so also shall the money be returned.

X V I I I. *Stat. 38. E. 3. Stat. 1. 2.* None shall export gold or silver in money or plate, but victuallers of fish, who fish for Herring and other fish, and such as import fish in small Vessel, who meddle not with other merchandise, but not otherwise then as the Chancellor shall think fit.

X I X. *Stat. 5. R. 2. 2.* None shall export gold or silver: *But quer. whether this Statute be not repealed by 4. Jac. 1.*

X X. *Stat. 17. R. 2. 1.* The Statute of 9. E. 3. *cap. 3.* shall be duly executed, and none shall melt Groats or half Groats into Vessel, upon the pain contained in that Statute.

X X I. Forreign Coyn shall not be current in England, but shall be brought to the Bullion, there to be molten in the Coyn of England, in pain of forfeiture thereof and imprisonment, neither shall there be any exchange of English money for Scotch money, upon the like pain.

X X I I. *Stat. 2. H. 4. 5.* If the Kings searchers finde any money or plate in the custody of any ready to passe beyond sea, or in any ship which is to go beyond sea, it shall be forfeited to the King, save the parties reasonable expences; which he shall also lose, unlessse he presently confesse the truth.

X X I I I. Provided, that Merchant-strangers, that sell their merchandize in England, and do employ half their money received for the same upon other merchandise of England, may (by the Kings Licence) export the other half thereof without prejudice.

X X I V. *Stat. 4. H. 4. 10.* A third part of all silver money which shall be brought to the Bullion, shall be coyned into halfe pence and farthings, of each alike, and the Coyner shall make oath so to do.

XXV. No Goldsmith shall melt half pence or farthings, in pain to forfeit four times so much as he so melts.

XXVI. Stat. 11. H. 4. 5. Gally half-pence shall not be current in England, and all Statutes formerly made concerning money are confirmed.

XXVII. Stat. 13. H. 4. 6. The Statute of 11. H. 4. 5. and all other Statutes formerly made concerning money shall be duly put in execution.

XXVIII. Stat. 3. H. 5. Stat. 1. It shall be felonie to utter Scotch money in payment: *But this Statute is now obsolete and out of use.*

XXIX. Stat. 3. H. 5. 6. It shall be treason to clip, wash or file money. *Howbeit this Statute is repealed by 1. E. 6. 12. & 1. M. Sess. 1. but the same again made treason by 5. El. 11. which see in Treason.*

XXX. Stat. 3. H. 5. 7. Justices of Assize and of Peace have power to hear and determine all offences concerning false money.

XXXI. Stat. 9. H. 5. 11. No English Gold shall be received in payment, but by the Kings weight.

XXXII. Stat. 1. H. 6. 1. The Kings Council may assigne money to be Coined, and exchanges to be holden, in as many places as they please.

XXXIII. Stat. 2. H. 6. 6. No gold or Silver shall be exported, in pain to forfeit the value thereof, save onely for the ransome of prisoners, the reasonable costs of Souldiers passing beyond sea, and money to be expended for certain Scotch commodities, so as they be done by the Kings licence.

XXXIV. Merchants Aliens shall finde sureties in the Chancery, (every Company for them of their Company) that none of them shall export any gold or silver, in pain to forfeit the same or the value thereof, whereof the discoverer (unto the Treasurer or Kings Council) shall have a fourth part.

XXXV. Stat. 2. H. 6. 9. The money called *Blanks* are wholly prohibited.

XXXVI. Stat. 2. H. 6. 12. The mint-master shall keep his Alloy in the making of white money, according to his Indenture, and shall receive silver brought to the Mint, at the true value it is worth, according to the same Alloy, in pain to pay to the party his double damages.

XXXVII. The Kings Assayer (who ought to be a person indifferent betwix the Mint-master and the Merchant) and the controller of the Mint shall be present, when any bullion is brought to the Mint,

Mint, to the end the Assaier may set the true value thereof, in case any variance happen betwixt the Master and Merchant.

XXXVIII. The Controllers office is every two dayes faithfully to trie all silver brought in or carried out of the Mint, and that without fee, (save what he receives of the King) in pain of double damages: And he ought to be a credible man, and expert in the Mystery of Goldsmiths and of the Mint.

XXXIX. The Mint-Master and Exchanger shall convert into coin all gold and silver brought to the Mint or to the Exchange, according to the forme of the said Indenture, upon the pain therein conteined.

XL Stat. 19. H. 7. 5. All coins of gold and silver current in this Realm shall so continue for the value they were coined for, albeit some of them be cracked, so as they be not clipt, or otherwise diminished, reasonaple wearing excepted.

XLI. If any refuse any lawful coine in payment he shall be compelled by the Officer of the place to receive it, and also imprisoned or otherwise punished, as such officer shall think fit: And if any Sheriffe or other officer refuse it he shall be compelled to take it by a Justice of Peace, and is otherwise punishable at the discretion of such Justice.

XLII. It shall be lawful for the owner of money, clipped or otherwise impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwise to dispose thereof for his best profit.

XLIII. To avoid clipping of silver coines hereafter, the King appointeth new ones to be made with a circle about the outermost part thereof, and for gold coines, that they should have the intire Scripture stamped without lacking any part thereof: to the end that by the Ring or Scripture, it may be discerned, when they were clipt, or any way diminished; and the Warden and Controller of the mint are to see them thus ordered before they passe from the mint, in pain to forfeit their offices, and to be fined at the Kings will.

XLIV. None shall transport any money, Plate or Bullion (above 6s. 8d.) into *Ireland*, nor convey any of them into any Ship or other vessel, in pain to forfeit them, and to be imprisoned and ransomed at the Kings will.

XLV. It shall be lawful for any to seize any Irish coia (above 3s. 4d.) brought into this Realm, and to deliver it in at the Mint, for which the Master shall presently pay him halfe the value thereof to his own use.

XLVI. Stat. 14. 15. H. 8. 12. The Coiners of every hundred pounds

pounds worth of gold brought to the mint to be coined, shall make 20 *l.* thereof in half Angels (then called *Peeees* of 40 *d.*) and of every hundred pounds worth of silver, 50 *l.* in groats, 20 *l.* in two-pences, 20 *l.* in pence; 10 *marks* in half-pence; and 5 *marks* in farthings; in pain that the Mint-master shall forfeit 10 *l.* to be divided betwixt the King and the prosecutor.

XLVII. The half-pence and farthings shall have several stamps, to the end they may be the better distinguished by the common people.

XLVIII. When the value of the Plate or Bullion is under 100 *l.* the owner thereof shall receive a tenth part in half-pence and farthings.

XLIX. This Act shall not be prejudicial to the Coiners and Mint-masters in *York*, *Durſeme*, or *Canterbury*.

L. Stat. 14. El. 3. If any shall falsely forget or counterfeit any coin of gold or silver, not current in this Realme, he and his procurers, aidors and abettors (after conviction) shall be imprisoned, and forfeit their lands and goods, as in case of Misprision of Treason.

Monopolies.

I. Stat. 21. Jac. 3. All Monopolies and all Commissions of or for the sale, buying, selling, making, working, or using of any thing within the Kings Dominions, or of any other Monopolies, or of Power, libertie, or Faculty, to dispence with any others, or to give licence or toleration to do, use or exercise any thing against tenour of any Law or Statute, or to give or make any warrant for such dispensation, licence, or toleration, or to agree or compound for any penalty or forfeiture limited by any Statute, or for any grant or promise of any benefit or profit of any such penaltie, forfeiture, or summe of money, before Judgement thereupon had, and all Proclamations, Inhibitions, Restraints, Warrants of assistances, and other matters and things whatsoever, any way tending to the Erecting, Strengthening, or Countenancing thereof are contrary to the Laws of the Realm, and shall be void and of none effect.

II. All the matters and things aforesaid shall be examined, heard, tried and determined by the Common Lawes of the Realme, and not otherwise; And all persons are prohibited to use, exercise, or put them in ure.

III. The partie grieved by pretext of any of the matters or things aforesaid, shall recover (in one of the Courts at *westminster*) triple damages and double costs; in which suit no essoine, or other delay

delay shall be allowed, nor any more then one imparlance: And if any person, after notice given, that such action depending is grounded upon this Statute, shall cause to be stayed or delayed before Judgement, by any Order, Warrant, Power or Authority (save onely of the Court where it is so depending) or shall (after Judgement had) cause or procure the execution thereof to be staid or delayed by colour or meanes of any such Order, Warrant, Power, or authority, save onely by writ of Error or attain, he or they so offending shall incurre a *Premunire*,

IV. Letters Patents of New Manufactures heretofore granted for 21 yeares or under to the Inventors thereof, where they are not contrary to Law or any way prejudicial to the Common-wealth are saved: so also are such as have been heretofore granted for more then 21 years good, for 21 yeares from the date of their Patent, notwithstanding this Statute.

V. Neither shall this Act extend to grants of new manufactures hereafter to be made to the Inventors thereof for 14 years or under, being not contrary to law or prejudicial to the Common-wealth; nor to grants heretofore confirmed by Act of Parliament, so long as such Acts continue in force: Nor to any warrant of Privie Seale granted, or to be granted to the Justices of the Kings Bench or Common Pleas, the Barons of the Exchequer, Justices of Assize, of Oyer, and Terminer, Gaol-delivery or Peace, or other Justices, to compound for the forfeitures of any penal statute, depending in suit before them, after plea pleaded by the partie defendant.

VI. This Act shall not be prejudicial to London, or any other Corporation for any grant made them concerning their Customes; Nor to any Corporation, Companie, or Fellowship of any Art, Trade or Mystery; Nor to any Companie or Society of Merchants.

VII. Neither shall it extend to any grant of Priviledge for Printing, Digging or making, or compounding of Salt-Peter, or Gunpowder, or casting or making of Ordnance or Shot for Ordnance; nor to any grant of any office now in being, other then such as are decreed by the Kings Proclamation; Nor to the liberties of Newcastle concerning Sea-coals; Nor to licencing of Taverns, so the King receive the benefit; Nor to the Patent granted to Sir Robert Mansfield for making of Glasse; Nor to that granted to James Maxwell Esquire for transportation of Calves-skins, Nor to that of Abraham Barker for making of Smalt; Nor to that of Edward Lord Dudley for melting of Iron Ewer, and making the same into Cast-works.

Mortdancester.

I. *Parlbz Edge. 16. 52. H. 3.* If the Lord will not render unto the heir his Land (when he comes to Age) without plea, the heir shall recover his land by *Affize of Mortdancester*, together with all his damages.

II. If the heir, at his ancestors death be at full age, and then seized of the Inheritance, the Lord shall not out him, nor meddle with any thing there, but shall onely take simple seisin thereof, that he may be known to be Lord: And if the Lord shall then put him out, whereby he is driven to his writ of *Mortdancester* or *Cosinago*, he shall recover his damages, as in a writ of *Novel disseisin*.

III The King shall have *primer seisin* of lands holden in chief, as intimes past; neither shall the heir or any other intrude into the Inheritance, before he have received it out of the Kings hands, as formerly hath been used.

IV. This Statute is to be understood of lands accustomed to be in the Kings hands, by reason of Knight-service, Serjeancy, or right of Patronage.

V. *The Statute of Gloucester. 6. 6. E. 1.* If one die having many heirs, of whom one is son or daughter, brother or sister, Nephew or neece, and the other be a farther degree off, the heirs shall recover by a writ of *Mortdancester*.

Mortmain.

I. *Magna Charta. 36. 9. H. 3.* If any shall give lands to a religious House, the grant shall be void, and the land forfeit to the Lord of the fee.

II. *The Statute of Gloucester, aliàs, de Religiosis, 7. E. 1.* If lands be any way aliened in *Mortmain* to a Religious person or other, the King or other Lord immediate may enter within a year after such alienation, and if such Lord neglect it, the next Lord to him may enter within half a year after; and if all the mean Lords (being of full age, within the four Seas, and out of prison) neglect to do it, after the year the King may enter.

III. *West. 2. 31. 13. E. 1.* Ecclesiastical persons being debarred by the former Statutes to obtain lands in *Mortmain* by alienation, endeavoured fraudulently to obtain them by default in a suit: And therefore in such case it was ordained by this Statute that it should be inquired by the Countrey, whether or no the demandant had a just-

Just title thereto, and if so, then he should recover seisin; but if otherwise, the Lord of the fee should enter, as aforesaid. And by this Statute each mean Lord hath a full halfe year given him after the Lord next before him, until it come to the King, And here also the Lords, as also the King, are allowed their challenges.

I V. After the judgement given, the lands shall remain cleer in the Kings hands, until it be deraigned by the demandant, or some other chief Lord, and the Sheriff shall be charged to answer for it in the Exchequer.

V. *Ordinatio de perquirendis libertatibus*, 27.E.1. To obtain licence to make a park, or to amortize lands, the writ *Ad quod damnum* shall issue out of the Chancery to inquire concerning the same

VI. Here inquisitions of Lands, that shall be found (by extent) to be worth yearly more then 20 s. shall be returned into the Exchequer, and there the parties shall make fine for the Amortizements, and for the Park, if the Inquisition passe for them; And afterwards the Chancellor (or his Deputy) shall have order to do his duty therein.

VII. When the yearly value of the lands exceed not 20 s. the Inquisition shall be returned to the Chancellor, and he (or his Deputy) shall rate and take the fine, according to the quantity of the land.

VIII. The like shall be done by such as purchase lands holden of the King in chief.

IX. If persons dwelling beyond sea, and having lands or rents in England, are desirous to purchase Letters of Protection, or would make general Attourneys, they shall be first sent to the Exchequer to make their fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

X. In like manner shall they do that will purchase any Fair, Market, Warren, or any other Liberty: Also such as will purchase instalment of their debts shall be sent into the Exchequer.

XI. Also such as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, shall have a writ out of the Chancery to some sufficient man, that shall receive their Attourneys, when need is.

XII. For the better remembrance of these things, there shall be a tripartite Indenture made; whereof one shall remain in the Chancery, another in the Exchequer, and the third in the Gard robe.

XIII. The

XIII. The Statute of Amortizing Lands 34.E.1. Lands shall not be aliened in Mortmain, where there be mean Lords, without their consent declared under their Seals: Neither shall any thing passe, where the donor reserveth nothing to himselfe, or when the inquisition is made and returned without war, *viz.* without the writ original returned with the Inquisition; and unlesse the original make mention of every thing according to the new Ordinance devised by the King.

XIV. The Statute of Writs for making Inquisitions of Lands to be put to Mortmain, *Incerti temporis*. Writs *ad quod damnum* for amortizing lands shall not be granted, but upon Petition in full Parliament.

XV. Stat. de clero, 3. 18. E. 3. If Prelates, Clerks beneficed or other people of Religion being impeached for purchasing lands in Mortmain, shew the Kings Charter of licence, and processe thereupon made by an Inquest, of *ad quod damnum*, or of the Kings Grace, or by fine, they shall be in peace: And albeit they cannot sufficiently shew that they have entred by due processe after licence to them granted in generall or in speciall, yet they shall be well received to make a convenient fine for the same.

XVI. Stat. 15. R. 2. 5. It is within the compasse of the Statute of 7. E. 1. to convert any Land to a Church-yard, albeit it be done by the consent or connivence of the terre-tenant, and confirmed by the Popes Bull.

XVII. If any be seized of any lands or other possessions to the use of any spiritual person, with purpose to amortize them, and whereof such spirituall person takes the profits, they shall before the Feast of Saint Michael next cause them to be amortized by the licence of the King and other Lords, or dispose of them to some other use; otherwise they shall be forfeit according to the form of the said Statute, as lands purchased by people of Religion: And no such purchase to the use of such spirituall persons shall be hereafter made upon the like pain.

XVIII. The same Law shall be of Lands or other possessions purchased to the use of Guilds and Fraternities: Also lands purchased by Corporations, or to their use, shall be within the compasse of the said Statute *de Religiosis*.

XIX. Stat. 13. H. 10. If any grant of Lands or other Hereditaments shall be made in trust, to the use of any Churches, Chapels, Church-wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, or to have perpetual obits, or a continual service of a Priest for ever, or for 60 or 100 years, or to such like uses

or

ses or intents : All such uses, intents and purposes shall be void; they being no Corporations, but erected either of devotion, or else by common consent of the people.

X X. Such uses and intents may be made and declared to continue 20 years from the time of such limiting of them, but no longer.

X X I. Collateral assurances, made for the defrauding of this Statute, shall be void, and this Statute shall be interpreted most beneficially for the destruction of such uses, as aforesaid.

X X I I. This Act shall not prejudice Corporations, where there is a custome to devise Lands in Mortmain.

X X I I I. This Act shall not prejudice the Executors of *Jannis and Terry*, late Aldermen of *Norwich*.

Mortuaries.

I. Stat. 21. H. 8. 6. No spiritual person, his Bailffe, or lessee shall take or demand more for a Mortuarie, then as is hereafter expressed, nor shall convent any person before any Ecclesiastical Judge for the recovery of more for the same, then as is hereafter declared, in pain to forfeit so much as he takes or demands more, and likewise 40 s. to the partie grieved, to be recovered by action of debt, wherein no essoin, &c. shall be allowed.

II. None shall take or demand for a Mortuary any thing at all, where (by the Custome) they have not been usually paid, nor upon the death of a woman Covert, a Child, a person not keeping house, a wayfaring-man, one not residing in the place, where he happens to die, nor where the goods of the dead person (debts deducted) amount not to the value of 10 marks; Nor above the sum of 3 s. 4 d. when they exceed not 30 l. nor above 6 s. 8 d. when they exceed 30 l. but not 40 l. nor above 10 s. when they amount to 40 l. or above, And if the person die in a place where he or shee dwelleth not, their Mortuary shall be paid in the place where they had their most abode.

III. This Act shall not abridge spiritual persons to receive Legacies bequeathed unto them, or to the Kings Altar.

IV. No mortuaries shall be paid in *Wales*, *Calais*, or *Barwick*, or in any of their Marches, save onely in *Wales*; and the Marches thereof, where they have been accustomed to be paid, and such as are there paid shall be regulated according to the Order prescribed by this Act.

V. the Bishops of *Bangor*, *Landaff*, *S. Davids*, and *S. Asaph*, and the

the Arch-Deacon of *Chester* shall take Mortuaries of the Priests within their jurisdictions, as hath been accustomed, notwithstanding this Act.

VI. Lesse Mortuaries already settled by Custome, shall not be increased by this Act, and there also persons exempted by this Act shall not hereafter be chargeable.

Murder and Manlaughter.

I. *Parlbz. 25. 52. H. 3.* Murder shall not be adjudged where it is found Misfortune onely, but where the party is slain by felony, and not otherwise.

II. *Stat. 3. H. 7. r. Pars inde.* Every Coroner, upon view of the dead body shall inquire of the person that hath done the death of murder, also of their abettors and consentors, and who were present when it was done, and the names of the persons so present and found shall inrol and certifie.

III. Here, the offender and his accessaries being indicted shall be also arraigned at any time within the year at the Kings suit, and the proceeding thereof shall not carry for any appeal to be prosecuted within the year as hath been heretofore used.

IV. Albeit the Principal or accessory be acquit within the year and day, yet shall not the Justices suffer them to go at large, but either remand them to prison, or let them be bailed, until the year and day be out: And whether they be attainted or acquit, yet the wife or next heir of the slain may within the year and day (the benefit of Clergy being not before had) prosecute their appeal against them, any such attainder or acquittal notwithstanding.

V. The wife or heir may commence their appeal in proper person at any time within the year before the Sheriffe and Coroners of the County where the offence was done, or before the Justices of the Kings Bench or Gaol-delivery. And in any such case (save onely where Barrail lieth) the Appellant (after the suit so commenced) may appoint an Attourney to prosecute it.

VI. When one is slain in the day-time, and the murtherer escapes untaken, the Township that suffers it, shall be amerced, and the Coroner shall inquire thereof upon the view of the body dead.

VII. Also Justices of Peace have power to inquire of Escapes; and to certifie them into the Kings Bench; And after the felonies found, the Coroners shall deliver their Inquisitions before the Justices of the next Gaol-delivery there, who shall proceed a-

gainst the murderers, or else certifie such Inquisitions into the Kings Bench.

VIII: A Coroner shall not be remiss, but duey execute his office according to Law, in pain of $\text{3 } l.$ and shall have for his fee (upon view of the body) $13 \text{ s. } 4 \text{ d.}$ of the goods of the murtherer, if he have any; if not, then out of such amerciaments, as shall be set upon the Town-ship, that suffered the murtherer to escape.

Musters.

I. Stat. 4.5.P.M.3. If any shall be commanded to muster by any authorized thereunto, doth absent himself (having no lawful excuse) or at such Musters doth not bring with him his best Armes, he shall suffer ten dayes imprisonment without bail, to be imposed by the persons so authorized, unlesse he will agree to pay 40 l. for a fine to the use of the King and Queen, and the heires and successors of the Queen, which fine shall be estreated into the Exchequer by the said persons so authorized under their seals within two moneths after such agreement, and afterwards levied as fines assessed by Justices of Assize and Gaol-delivery in their circuits.

II. If any person authorized to muster, or levie souldiers shall exact or take any reward to discharge or spare any from the said service, he shall forfeit ten times so much, as he shall so exact or take.

III. A Captain or other officer, which after he shall have (for a reward) licenced a souldier to depart, doth not pay him his wages, and coat and conduct-money, shall forfeit ten times so much as he shall so take, and to the souldier three times so much as he should have paid him.

IV. The one moiety of the abovesaid forfeitures (except that limited to the souldier) is given to the King and Queen, and the other to the prosecutor.

V. Justices of Assize, Justices of Peace, and Stewards in Leets have power to hear and determine these offences; and the Justices of Assize or Peace upon conviction of the offender may commit him to prison without bail, until he hath satisfied the abovesaid penalties to the King, Queen and prosecutor, or where there is no prosecutor to the King and Queen alone.

VI. Offences committed during the time of service shall be heard and determined by the Chief Commander.

VII. This Act shall not discharge service of war incident to the tenure of land.

VIII. The

VIII. The offender of this Act shall not be twice punished for the same offence.

IX. None shall under colour of service of war incident to the tenure of land exact any other thing, then what shall be employed in present service, and shall be restored again to the owner, when the service is done, at least so much thereof, as shall not be spent or lost in the service.

X. Inhabitants within Cities, Boroughs, and Corporations shall be mustered at home, by the Head-Officer, and one other (at least) to be joyned with him by Commission, or otherwise.

Newcastle upon Tyne.

I. Stat. 9.5. H. 10. **A**LL Keels in the Port of *Newcastle* shall be measured by Commissioners thereto assigned by the King, and marked of what portage they are, before any cartiage of coals be made by them, in pain to forfeit them to the King.

II. Stat. 21. H. 8. 18. No person shall ship, load, or unload any goods, to be sold into or from any ship at any place within the River of *Tyne*, between the places called *Sparhawk* and *Headwin-streams*, but onely at the Town of *Newcastle*, in pain to forfeit such goods, which the Major, Burgeses and Communalitie there shall have power to seize for the Kings use.

III. None shall raise or levie any Weere, gore, or engine in the Haven there betwixt the places aforesaid, in pain of 100 l. to be divided betwixt the King and the prosecutor. And the Major, &c. have power to take away all such weeres, &c. which shall be found betwixt the said places.

IV. This Act shall not extend to the buying, shipping, loading or unloading of salt or fish, nor to the buying or selling of any wares or merchandize, needfull for the victualling or amending of ships.

News.

I. Stat. 1. 33. 3. E. 1. None shall report any false or slanderous news or tales, whereupon discord may arise betwixt the King and his people, or the great men of the Realm, in pain of Imprisonment, until he produce the Author.

II. Stat. 2. R. 2. Stat. 1. 5. None shall devise, speak or tell any false news, lies, or other such false things of Prelates, Lords, or the great Officers of the Realm, whereby any discord or slander may arise, in pain to be punished, as by the Statute of *westm. 1.* is ordained.

III. Stat. 12. R. 2. 11. When any one hath spoken falsities, contrary to the aforesaid Statutes, and cannot produce the Author, and is thereupon imprisoned, he shall afterwards be punished by the Kings Council, notwithstanding the said Stat. of *westm. 1.*

Nisi prius.

I. west. 2. 30. 13. E. 1. Justices sworn shall be assigned to take assizes of *Novel disseisin*, *Mortdancer*, and *Attaints*, and they shall associate unto them one or two of the discreetest Knights of the County where they come, which Assizes and attaints shall be taken but thrice in the year, viz. 1. between 8 of July and the first of August, 2 the 13 of September and the 6 of October, 3 the of January and the 2 of February.

II. At such Assizes, before they depart, they shall appoint the day of their returne, and may also adjourne the Assizes from day to day, if the taking of them happen to be deferred at any day by vouching to warrantie, essoin, or default of Jurors; They may also adjourne Assizes of *Mortdancer* (being respited by essoine or voucher) into the Bench, and in such case shall send thither the Record thereof, together also with the Original writ; And when the matter is come to the taking of the Assize, the Justices of the Bench shall remit it to the Justices before whom the Assize shall be taken: But the Justices of the Bench in such Assizes shall give 4 dayes (at least) in the year; before the Justices assigned, to spare expence and labour.

III. All pleas in either of the Benches, that require small examination, shall be determined before them: Howbeit it must be at a day and place certain, appointed in the presence of the parties, and mentioned in the Judicial Writ by these words, *Præcipimus tibi, quod venire facias coram Justitiariis nostris apud westmonasterium in Octabis Sancti Michaelis (nisi Talis & Talis, tali-die & loco ad partes illas prius venerint) duodecim, &c.* And when the Inquests of such pleas are taken they shall be returned into the Bench where they were commenced, to receive judgement, and to be enrolled; And Judgements otherwise taken shall be void, except in an Assize of *Darrein presentment*, and Inquisitions of *Quare impedit*, which shall

shall be determined in their proper County, before one of the Justices of the Bench and a Knight, at a day certain in the Bench assigned whether the defendant consent, or nor, and there shall judgement also passe immediately.

IV. The Justices of the Benches shall have in their circuits, Clerkes, to inroll all pleas pleaded before them, as hath been used in times past: and the Justices assigned shall not compel the jurors to say precisely whether it be disseisin or not, so as they will shew the matter of fact, and then require aide of the Justices; But if they will of their own head say, that it is disseisin, their verdict shall be admitted at their own peril: And the Justices shall not put upon Assizes or Juries any other, then such as were summoned for the same at the first.

V. Stat. *De finibus levatis*, 27. E. 1. 4. Inquests and Recognisances determinable before the Justices of either Bench shall be taken in time of vacation before any of the Justices, before whom the plea is brought, being associate to one Knight of the same County where such inquest shall passe, unless they require great examination; And such Justices shall proceed therein notwithstanding the Statute of 21. E. 1. *Deponendis in Assisa*, which see in Jurors.

VI. Stat. *Eborac.* 12. E. 2. 3. Inquests in pleas of land (that require no great examination) shall be taken in the County before a Justice of the Peace, where the plea is, accompanied with a substantiall man in the Countrey, whether Knight or other, so as a certaine day be given in the Bench, and a certain day and place in the Country, in the presence of the parties, and the demandant request the same: but Enquests of pleas, that require great examination, shall be taken in the Countrey (in manner aforesaid) before two Justices of the Bench.

VII. Stat. *Ebor.* 12. E. 2. 4. Justices of *Nisi prius* have power to record non-suits and defaults in the Countrey at the dayes and places assigned, and shall report them in the Bench at a day certain, there to be enrolled, and thereupon judgement shall be given.

VIII. Stat. 2. E. 3. 16. Enquests in pleas of Land shall be as well taken at the request of the tenant, as of the demandants, notwithstanding the Statute of 12. E. 2. 3.

IX. Stat. 4. E. 3. 11. Justices of the Benches of Assize, and of *Nisi prius*, shall have power to hear and determine maintenance, conspiracie, confederacie, and champertie, as well as Justices in Eyre: And that which cannot be determined before the Justices of either Bench, upon the *Nisi prius*, shall be adjourned unto the Bench

where they are Justices, and shall be there determined. Note that this Statute is confirmed by the Statute of 7. R. 2. 15. which see in Maintenance.

X. Stat. 14. E. 3. Stat. 1. 16. A *Nisi prius* in the Kings Bench shall be granted before a Justice of that place, if any Justice of that place may well go into those parts, if not, then before a Justice of the Common Place; so likewise, those in the Common Place shall be grantable before a Justice of the Kings Bench, if he may go thither, *vice versa*; but if none of them may go, then before the Chief Baron, if, &c. or else before the Justices assigned to take Assises in those parts, so as one of them be a Justice of one of the Benches, or the Kings Serjeant sworn: And here (to avoid fraud) if one party demand a tenor of the record, another tenor thereof shall be also (upon request) delivered to the other party.

XI. Where Assises of *Quare impedit's* and *Darrein presentments* are triable in the Countrey by *Nisi prius*, before the Justices of either Bench, the Chief Baron, or Justices of Assise, they may there give judgement upon them.

XII. Stat. 7. R. 2. 7. In all pleas where *Nisi prius* is grantable of office, after the great distress returned and three times served before the Justices against the Jurors, and thereupon the parties demanded, if neither partie will pursue, or if they refuse to have a *Nisi prius* in the case, then at the suit of any of the Jurors there present, a Writ of *Nisi prius* shall be granted to end the quarrel, and that as well in the Exchequer as elsewhere.

XIII. Stat. 14. H. 6. 1. Justices of *Nisi prius* have power to give their judgements in cases of felonie and treason, as well upon acquittal as attainder, and thereupon also to award execution.

XIV. Stat. 18. H. 12. The chief Justice of England upon issue joyned in the Kings Bench or Chancery, and the chief Justice of the Common Pleas, and chief Baron of the Exchequer, upon issues joyned in their severall Courts, or (in their absence) two other Justices or Barons are made Justices of *Nisi prius* for the County of *Middlesex*, and may sit in *westminster-Hall*, or in the Exchequer, within the term, or four dayes after for the trial of issues joyned in the said Courts respectively. and triable in *Middlesex* aforesaid, to prevent interruption of proceeding in the said severall Courts during the terme, and for the better case of the Free-holders of *Middlesex*. Upon which trials *Tales* shall be granted and all other proceedings shall passe as upon Writs of *Nisi prius* triable elsewhere in the Countrey,

Non-Plevin.

I. Stat. 9. E. 3. 2. None shall lose their Land by reason of Non-plevin.

Non-suit.

I. Stat. 2. H. 4. 7. Where before Justices of Assize the parties are adjourned for some difficulty in Law upon the matter found, in this case the Plaintiffe shall not be non-suited, albeit the verdict passe against him.

Non-tenure.

I. Stat. 25. E. 3. Stat. 5. 16. By the exception of Non-tenure of parcell no Writ shall abate, but only for the quantity of the Non-tenure, which is alleadged.

Northumberland.

I. Stat. 23. H. 6. 7. The Sheriffe of *Northumberland* shall gather no more Head-pence there, in pain of 100 li. to be divided between the King and the Prosecutor.

Norwich.

II. Stat. 33. H. 8. 16. None shall buy within *Norwich* or the County of *Norfolk*, any Worsted-yarn spun in the said City or County but such as shall work it, or cause it to be wrought in *Norwich*, or elsewhere within the said County, in pain to forfeit for every pound thereof otherwise imployed 40 s. to be divided betwixt the King and the prosecutor.

II. None shall convey beyond sea any Worsted-yarne (spun in *England*) in pain to forfeit 40 s. for every pound, to be divided as aforesaid.

III. Stat. 1. E. 6. 6. The Statute of 33. H. 8. 16. is made perpetuall.

IV. Hat-makers dwelling in *Norwich* may buy Worsted-yarn called *Middle-usse yarn*, as they have used to do, notwithstanding the Statute of 33. H. 8. 16. so as they impoly it in Hat-making within the said City.

V. Stat. 5. 6. E. 6. 24. None shall make Mats, Coverlets, or Dorneckes, by himselfe or others, or use any of those Mysteries in *Norwich* or *Norfolk*, unlesse he be admitted so to do by the Major, Recorder, Steward, and two Justices of Peace of that City, or by four of them, or have been Apprentice to the said Mystery by the space of seven years.

VI. None shall make any Hats, Dorneckes, or Coverlets, in *Norfolk*, but only in some Corporate or Market-town there, in pain to forfeit for every six Felts 10 s. for every Coverles 3 s. 4 d. and for every six yards of Dorneckes 6 s. 8 d.

VII. This Act shall not extend to the inhabitants of *Pulham* in *Norfolk*.

VIII. The Major, Recorder, Steward, or Justice of Peace, that takes a reward for admitting any to work shall forfeit 5 li. to be divided betwixt the King and the Prosecutor.

IX. Stat. 1. 2. P. M. 14. An Act for the making of Russes Sattens, Sattens reverses, and Fustians of *Naples* at *Norwich*, and not elsewhere, by which Act there is a Corporation made for that purpose, and diverse Articles concerning the same. See the Act at large.

X. Stat. 39. El. 22. An establishment of the Bishoprick of *Norwich*, and the possession thereof against a pretended concealed title made thereunto. See the Statute at large.

Nufance.

I. tit. 2. 24. 13. E. 1. A Writ of Nufance shall be grantable as well against the Alience as against the party that levied it, and when it is against the party himself, the Writ shall be *Questus est nobis A quod Dinjuste, &c. Levavit domum, micrum, mercatum, & alia, quae sunt ad nocumentum, &c.* But when against the alien, the Writ shall be *Questus est nobis A. quod B. & C. Levaverunt, &c.*

II. Stat. 6. R. 2. 3. All Writs of Nufance called *Vicomitels*, shall be made at the election of the Plaintiffe, according to the old form, or in the nature of Assizes, determinable before the Justices of the one Bench or other, or the Justices of Assise to be taken in the County of the place assigned.

Oath.

See Magna Carta, printed by Richard Tottle, Anno Domini 1556, fol. 164 & 166, the Oaths of the King, the Bishops, the Kings Counsellors, Escheators, Sheriffs, Majors, and Bailiffs.

Obligations.

I. Stat. 38. E. 3. 4. Whereas divers people be bound in another Court out of the Realm, by Instruments or otherwise, it is accorded, that all penal bonds in the third person be void, and holden or none.

Odio & Aetia.

I. Stat. 1. II. 3 E. 1. Forasmuch as many being indicted of Murder, and guilty thereof, by favourable Inquests taken by the Sheriff, and by the Kings Writ of *Odio & aetia* are replevished, until the coming of the Justices in Eyre, It is provided, that from henceforth such Inquests shall be taken by lawful men chosen out by the Oath of twelve men (of whom two at the least shall be Knights) who by no affinity with the Prisoners, or otherwise, are to be suspected.

Officers & Office.

I. Stat. 12. R. 2. 2. The Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the Kings house, the Kings Chamberlaine, the Clerk of the Rolls, Justices of the Benches, Barons of the Exchequer, and all others called to name and ordain Justices of Peace, Sheriffs, Escheators, Customers, Comptrollers, or any other Officer or Minister of the King shall be firmly sworn, that they shall not name or ordain any Officers or Ministers for any gift or brocade, favour or affection; And none, which pursueth by him or by other privily or openly to be in any such office, shall be put in the same or any other: but that they make all such officers and Ministers of the best and most lawful and sufficient men in their Judgements and knowledge.

II. Stat.

II. Stat. 14.R.2. 10. No Customer, Comptroller, Searcher, Weigher or Finder, shall have any such office for terme of life, but onely during the Kings pleasure, notwithstanding any Patent or grant to the contrary.

III. Stat. 17. R. 2. 5. No Searcher, Gauger, Aulnager, Finder or Weigher of Woolls or other Merchandize, Collector of Customes and Subsidies, or Comptroller, shall have their severall offices for terme of life or yeares; But such offices shall remaine in the Kings hand under the governance of the Treasurer with the assent of the Council, if need be: and all Charters and Patents otherwise made shall be void.

IV. Stat. 1. H. 4. 13. The Statute of 17.R.2.5. shall be duly put in execution, and all Customers and Comptrollers shall be resident upon their offices in their proper persons without making any deputies in their places.

V. Stat. 4. H. 4. 20. The Statute of 1. H. 4. 13. shall be duly put in execution, and the said officers shall be sworn so to do, in pain of imprisonment, and to forfeit 100*l*.

VI. Stat. 13. H. 4. 5. The Statute of 1.H.4.13. shall be duly put in execution; And all Customers, Comptrollers, Gaugers of wines, and searchers shall be resident upon their offices, especially at the time of charge and discharge of Ships and Vessels, so that no such officer, after the time aforesaid, be absent from his said office, by 3 weekes at the most, in pain to lose his office, unlesse he be commanded upon record to be in the Kings Courts, or otherwise in the Kings service of Record.

VII. Stat. 2. H. 6. 10. All officers made by the Kings letters patents within his Courts, which have authority (*ab antiquo*) to appoint Clerks and Ministers within the same Courts shall be sworne to appoint such there, for whom they will answer at their perill, and such as be sufficient and will be faithfull and diligent in their places.

VIII. Stat. 31. H. 6. 5. All Letters Patents of the said Offices or Aulnage made against the effect of the Statutes of the 17.R.2.5. or 4. H. 4. 24. (*which see in Drapery*) shall be void; And no Letters Patents of any of them shall be hereafter made, but by warrant of bill sealed by the Treasurer, and sent by him into the Chancery as hath been heretofore used; and if any be otherwise made, they shall be void.

IX. This Act shall not extend to be prejudicial to the Queen, the Prince, the Duke of Buckingham, the heirs of Henry, late Earl of Warwick, the Cities of London or Winchester, to any Comptroller

let for any office out of the Kings Ports, to *John Penicock* or *Giles Seyntle* Esquires, or to any of the King or Queens household servants for any of their offices, or the fees thereof due and accustomed.

X. Stat. 5. 6. E. 6. 16. None shall bargain or sell any office or deputation, or any part thereof, or receive or take any money, fee, reward, or other profit (directly or indirectly) or any promise, agreement, bond or assurance to receive any such profit for the same, which office shall concern the administration or execution of Justice or the receipt, controulment or payment of any of the Kings money or revenue, or any Accompt, Aulnage, Auditorship, or Surveying of any of the Kings lands, or any of his customes, or any administration or attendance in any Custome-house, or the keeping of any of the Kings Towns, Castles, or Fortresses (being places of strength or defence) or any Clerkship in any Court of Record, in pain that the Bargainee thereof shall lose his place, and the bargainer be adjudged disabled to execute the same; and every such bargain and agreement shall be void.

XI. Provided, that this Act shall not extend to any office of inheritance, or for the keeping of a Park, House, Mannor, Garden, Chase or Forest; nor to the two Chief Justices or Justices of Assize, but that they may grant offices as they did before the making of this Act: Also all Acts done by an officer (removeable by force of this Statute) shall be good in law untill he be removed.

Oyer and Terminer.

I. West. 2. 29. 13. E. 1. A writ of trespass (*ad audiendum & terminandum*) shall not be granted but before the Justices of either Bench or Justices in Eyre, unless it be for some hainous trespass, which requires speedy remedy.

II. A writ to hear and determine Appeals (before Justices assigned) shall not be granted but upon a special case, a certain cause and the Kings command: And lest the party should be kept too long in prison, they may have the writ *De Odio & Atia*, provided by *Magna Charta*, cap. 26. and other Statutes.

III. Statutum quod vocatur *Bagman de Justitiaritis & Signetis*, 31. E. 1. By this Act it was ordained, that Justices should go through *England* to hear and determine trespasses and other complaints of things done within 25 years before, and divers matters be in that Statute concerning those things. See the Statute in *Vet. Mag. Cart. Fol. 28.* and *Sir Edward Cooke*, in the fourth Part of his *Instit.* cap. 34.

IV. Stat.

I V. Stat. 2. E. 3. 2. Pars inde. Commissions of *Oyer and Terminer*, shall not be granted but before the Justices of the one Bench or the other, or the Justices Errants, and that for great hurt and horrible trespasses, and of the Kings special grace, according to the Statute of *Westm. 2. 29.*

Oil.

I. Stat. 3. H. 8. 14. The Major of *London*, together with the Master and Wardens of the Mystery of Tallow-chandlers there shall have power to search all Oils brought to *London* to be sold, and to oversee that the same be not mixed or altered from their right kinds, and what they shall finde deceitfully mixed shall cast away, and punish the offender by Imprisonment or otherwise at their discretions, according to the Lawes and Customes of the said City.

I I. Head-Officers in other Corporations shall have the like power within their Jurisdictions.

Ordinaries.

I. West. 2. 19. 13. E. 1. Where an Intestate dies in debt, and the goods come to the Ordinary to be disposed, in this case the Ordinary shall satisfie the debts so far as the goods extend, in such sort as the executors of such persons should have done, in case he had made a Testament.

I I. Stat. 18. E. 3. 6, 3. Temporal Justices shall not make Inquiries of processe awarded by Spiritual Judges, saving onely the Article in *Eyre*, such as ought to be.

I I I. Stat. 25. E. 3. Stat. 3. 9. The Justices shall not impeach Ordinaries or their Ministers upon Indictments of general extortions or oppressions, unlesse they put in certoin in what thing of what, and in what manner the Ordinaries or their Ministers haue committed extortion or oppression.

Painters.

Painters.

I. Stat. 1. Jac. 20. NO Plaisterer shall use or exercise the Art of a Painter in *London* or the Suburbs thereof, or lay any manner of Colour or Painting whatsoever (in the Art of Painting heretofore used) unless he be a Servant or Apprentice to a Painter, or have served seven years as an Apprentice in that Art, in pain for every time so offending to forfeit 5 *l.* to be divided betwixt the King and the prosecutor.

II. Provided, that Plaisterers may use Whiting, Blacking, Red-lead, Red-Okar, and Russet mingled with Size only, and not with Oil, notwithstanding this Statute.

III. Provided also, that no Painter shall take above 16 *d.* the day for laying any flat colour whatsoever, mingled or mixed with Oil or Size, upon any Timber, Stone, or Lead.

Palace.

I. Stat. 28. H. 8. 12. The limits of the Kings Palace at *Westminster* shall extend from *Charing-Crosse* to *westminster-Hall*, and shall have such priviledges, as the Kings ancient Palaces have.

Panel.

I. Stat. 42. E. 3. 11. No Enquests but Assizes and Deliverances of Gaoles shall be taken by writs of *Nisi prius* before the names of all, that are to passe there upon are returned into the Court.

II. The Sheriffe shall array the Panels in Assizes four dayes (at least) before the Sessions of the Justices, in pain of 20 *l.* so that the parties may have a Copy of the Panels, if they demand them: and the returns thereof by the Bailiffes to the Sheriffes shall be six dayes before the Sessions upon the like pain.

III. The most substantial people, worthy of credit, and not suspect, shall be put upon Panels, and such as may have best knowledge of the truth, and dwell neereft.

IV. Stat. 3. H. 8. 12. Panels, returned by the Sheriffe to inquire for the King may be reformed by Justices of Gaol-delivery or Justices of Peace (1 *Qu.*) before whom such Panel shall be so returned;

ed; And the Sheriffe shall return the Panels so reformed, in pain of 20 l. to be divided betwixt the King and the prosecutor, and in this case the Kings pardon shall be no bar against such prosecutor.

Pardon.

I. The Statute of Gloucester 9. 6. E. 1. No writ shall be granted out of the Chancery for the death of a man, to inquire whether one did kill another by misfortune, or *se defendendo*, or otherwise by Felonie: but the partie shall be put in prison untill the coming of the Justices in Eyre or Justices assigned to the Gaol-delivery, and shall put himselfe upon the countrey before them, and in case it be found *per infortunium* or *se defendendo*, upon report thereof to the King by the Justices, the King shall take him to his grace, if he so please.

II. Stat. 2. E. 3. 2. *pars inde*. Charters of pardon for Manslaughters, robberies, felonies, and other trespasses shall not be granted but where the King may do it, saving his oath, *viz.* where one man killeth another in his own defence or by a misfortune.

III. Stat. 4. E. 3. 13. The Statute of 2. E. 3. 2. is confirmed.

IV. Stat. 10. E. 3. 2. Pardons shall not be granted contrary to the Stat. of 2. E. 3. 2.

V. Stat. 10. E. 3. 3. He that hath a pardon of Felonie shall within 3 moneths after such pardon finde sureties (before the Sheriffe and Coroners for the good behaviour) which shall within three weeks after the 3 moneths be returned into the Chancery under the Seals of the said Sheriffe and Coroners: And if the party give not security as aforesaid, or being bound, do bear himselfe otherwise against the Peace then he ought, the Pardon shall be holden for none.

VI. Stat. 14. E. 3. Stat. 1. 15. No Pardon of the death of a man or other felony shal be granted, but only where the King may do it, saving the oath of his Crowne, and if any Pardon be granted against the Statutes made before this time, it shall be holden for none.

VII. Stat. 27. E. 3. Stat. 1. 2. Pardons, which have not in them the suggestion, whereupon they are granted, and also the suggestors name, shall be void; so are those likewise, which are granted upon false suggestions.

VIII. Stat. 13. R. 2. 1. In a Pardon the offence committed shall be specified, otherwise it shall not be allowed.

IX. No Pardon of Treason or Felonie shall passe without warrant of the Privie Seal.

X. If the offence pardoned be afterwards found wilfull murder, cha

that Pardon shall not be allowed. *Vide Stat. 16.R.2.9.*

XI. Stat. 5.H.4.2. If an Approver shall commit felonie, after he is pardoned, he that procured his pardon shall forfeit 100l. whose name shall also (for that purpose) be inserted in the said pardon.

XII. Stat. 21. Jac. 35. The Kings most gracious and general Pardon, except as therein is excepted. See the Statute at large.

Parliament.

I. The Mirror of Justices, Cap. 1. Sect. 3. Anno Alfredi Primi Monarche, Anno Domini. Parliaments shall be held twice a year and oftner if need require; But note, that this was by the King and Lords only, and in time of Peace.

II. Stat. 4.E.3.14. A Parliament shall be holden once a year, and oftner, if need be.

III. Stat. 36.E.3.10. A Parliament shall be holden every year.

IV. Stat. 5.R.2.Stat.2.4. Every person and Communalty having summons of Parliament shall come thither, in pain to be amerced or otherwise punished: And if the Sheriff doth not summon them, he shall be likewise amerced or otherwise, as hath been used in times past.

V. Stat. 12.R.2.12. The levying of the expences of Knights coming to Parliament shall be made as in times past; and if any Lord or other have purchased lands or other possessions, that were wont to be contributory to such expences, they shall still continue to be so, notwithstanding such purchase.

VI. Stat. 7.H.4.15. The election of the Knights of the Shires shall be as followeth; viz. At the next County after the delivery of the writ Proclamation shall be made in full County of the day and place of the Parliament, and that all there present (as well suitors summoned, as others) shall attend to the Election of the said Knights, and then in full County a free and indifferent Election shall be made, notwithstanding any request or command to the contrary.

VII. After such Choice the names of the parties so chosen (be they present or absent) shall be written in an Indenture under the seals of all them that did choose them, which Indenture so sealed & tacked to the said writ shall be the Sheriffs return thereof, touching the Knights of the Shires: And in such writs this Clause shall be hereafter put, *Et electionem tuam in pleno Comitatu tuo factam diffinitè & aperte sub sigillo tuo & sigillis eorum, qui electioni illi in-*
ter-

ter fuerunt, nos in Cancellaria nostra ad diem et locum breviter contentum certificates indilate.

VIII. Stat. 11. H. 4. 1. Justices of Assize shall have power to inquire in their Sessions of returns made by Sheriffes contrary to the Statute of 7. H. 4. 15. And if it be found by Enquest, that any Sheriffe hath made any such return, he shall forfeit 100*l.* to the King, and the Knights so unduly returned shall lose their wages.

IX. Stat. 1. H. 5. 1. All former Statutes made for the election of Knights of the Shire are confirmed.

X. They shall be resiant in the County for which they are chosen, the day of the date of the Writ of Summons, so also shall they be that choose them: Also Citizens and Burgeses shall be resiant in, and free of the Cities and Boroughs for which they are chosen.

XI. Stat. 6. H. 6. 1. Knights of the Shires and Sheriffes, against whom any Enquest of Office for undue elections are found before the Justices of Assize, shall have their answer and traverse thereunto, and shall not be dammified thereby, untill they be duely convicted thereof according to Law.

XII. Stat. 8. R. 6. 1. The Clergy called to the Convocation by the Kings Writ, together with their servants and familiars shall fully use and enjoy such liberty or defence in coming, carrying and returning, as the great men and Commualty of this Realm called to Parliament, do or ought to enjoy.

XIII. Stat. 8. H. 6. 7. The election of Knights of the Shire shall be made by the more voices of people dwelling in the Counties, having each of them Land or tenements of the yerly value of 40*s.* besides reprises, also the Knights so chosen shall be resiant within the same Counties.

XIV The Sheriffe hath power to examine upon Oath the choosers, how much they may expend by the year.

XV. If the Sheriffe be found by Enquest, and also attainted before Justices of Assize, to have done contrary to this Act, he shall forfeit 100*l.* to the King and suffer a years imprisonment without bail, and in that case the Knights so returned shall lose their wages.

XVI. He that cannot expend 40*s.* per annum shall have no voice in the election of Knights for the Parliament, and hereafter in every Writ issued out for that purpose, mention shall be made of this Ordinance.

XVII. Stat. 10. H. 6. 2. A chooser of the Knights of Parlia-

ment must be resiant, and have freehold worth 40 s. per annum (besides reprises) within the same County.

XVIII. Stat. 23. H. 6. 11. The Sheriffe in the next County Court after he shall have received the Writ for assessing the wages of the Knights of Parliament, shall make Proclamation, that the Coroners, chief Constables, Bailiffes, and all others (that will) appear at the next County Court to assess the same wages at which last County the Sheriffe and the other Officers shall be present in proper person, in pain that every one that makes default shall forfeit 40 s. and then the Sheriffe shall in full County assess every Hundred by it selfe, and every Town in each Hundred by it selfe, so as the sum assessed upon all the Hundreds exceeds not the entire charge of the County, nor that assessed upon all the Towns in each Hundred exceeds not the sum charged upon the Hundred in which they be.

XIX. The Sheriffe or other Officer which leavies more then is so assessed, shall forfeit 20 li. to the King, and 10 l. to the prosecutor, for the recovery of which 10 li. the said prosecutor shall have a *Seire facias*; and if the defendant make default, or appear, and is afterwards convict, he shall recover the said 10 li. to his own use, (over and above the said 20 l.) and besides treble damages for his costs of suit.

XX. The Sheriff shall levie the said Assessments as speedily as may be after they are so assessed, and shall deliver them to the Knights.

XXI. Justices of both Benches, Justices of Assize, Gaol-delivery, and Peace, have power to hear and determine these abuses, as well at the suit of the King as of the party.

XXII. This Assessment shall not be levied but only in places where it hath been formerly levied, and hereafter in every Writ for the levying of such wages, this Act shall be inserted:

XXIII. Stat. 23. H. 6. 15. The Statutes of 1. H. 5. 1. and 1. H. 6. 7. shall be kept in all points.

XXIV. The Sheriffe after the receipt of the Writ, shall deliver a precept under his Seal to every Major and Bailiffe, or Bailiffes or Bailiffe (where no Major is) of the Cities and Boroughs within his County, reciting the Writ, and commanding them, if it be a City, to choose by Citizens of the same City, Citizens, and if a Borough, Burgeses, to come to the Parliament; And such head-officers shall lawfully return such precept to the same Sheriffe by and enture betwixt them of such elections, and of the names of the Citizens and Burgeses so chosen, and thereupon the Sheriff shall

make a good return of every such writ, and also of every such return made by the said Head-officers.

XXV. If the Sheriffe aforesaid do contrary to this Act, or any other formerly made for the election of Knights, Citizens and Burgesse, the Sheriffe shall incur the pain contained in the said Stat. of 8. H. 6. 7. and besides shall forfeit to the person so chosen, and not duly returned 100 l. more, to be recovered by action of debt by the said person so chosen against the said Sheriff, his executors and administrators, or (in his default) by any other prosecutor, in which action no essoin, &c. shall be allowed: And if such Head-Officers shall make a false return, they shall forfeit 40 l. to the King, and 40 l. more to the person so chosen and not returned, recovered by such person or other prosecutor, in manner aforesaid.

XXVI. The Sheriffe that maketh not due election of Knights betwixt the hours of 8 and 11 in the forenoon, and a good and true return in manner aforesaid, shall incur the pain of 100 l. to the King, and as much to any that will sue for the same.

XXVII. The party grieved shall commence his action within three moneths after the beginning of the Parliament, and (in his default) the prosecutor may then take it.

XXVIII. If any Knight, Citizen, or Burgesse returned by the Sheriffe be put out, and another put in his place, the person so put in (if he take the place upon him) shall forfeit 100 l. to the King, and as much to the person so put out, who shall have an action of debt for the same if he commence his suit within three moneths after the beginning of the Parliament.

XXIX. The Knights of the Shires shall be notable Knights of the same County, for which they are chosen, or else notable Esquires or Gentlemen born in the same Counties, and such as are able to be Knights; But none shall be such a Knight, which standeth in the degree of a Yeoman or under.

XXX. Stat. 6. H. 8. 16. No Knight, Citizen, Burgesse, or Baron of any of the Cinque-Ports shall depart from the Parliament without the licence of the Speaker and Commons in Parliament assembled, to be entred upon Record in the Clerk of the Parliaments book, in pain to lose their wages.

XXXI. Stat. 33. H. 8. 21. The Kings Royal assent by his Letters Patents under the Great Seal, and signed by his hand, and notified in his absence to the Lords and Commons assembled in the upper House, is and ever was of as good strength and force, as if the King were personally present, and had publickly assented thereunto.

XXXII. Stat.

XXXII. Stat. 35. H. 8. 11. Whereas Knights and Burgesſes of Parliament in *England* and *Wales* have uſed to have allowed them, viz. the Knights 4 s. and the Burgesſes 2 s. a day or more, during the Parliament, and their reaſonable time of coming to and returning from the Parliament, together with their coſts of writs and other ordinary fees and charges, by this Statute it is ordained, that the Sheriſſes of all the twelve Shires in *Wales* and the County of *Monmouth* ſhall have power to levie the ſaid fees of the Inhabitants of thoſe Shires and Counties, and ſhall pay them to the Knights within two monerhs after the ſaid Knights ſhall have delivered unto them their writs *de ſolutione feodi Militis Parliamenti*, in pain to forfeit 20 l. to be recovered by Bill, Plaint, &c. and to be divided betwixt the King and the proſecutor; and for every moneth that ſuch default is made, after the ſaid two monerhs 20 l. more, to be levied, as aforeſaid. The Head-officers alſo of the Cities and Burroughs in the ſaid twelve Shires and County ſhall levy and pay their Burgesſes wages and fees within the like time, after the Writs *de ſolutione feodi Burgenſ. Parliam.* delivered unto them upon the like pains, to be levied of the goods and chattels of ſuch Head-officers.

XXXIII. The Inhabitants of the Cities and Burroughs in the ſaid Shires and County, which having no Burgesſes of their own, uſe to contribute towards the wages of the Burgesſes of the Shire-Towns ſhall have warning by Proclamation, or otherwiſe (from the Head-officers of the ſaid Towns) to come and give their voices at the electing of the Burgesſes of ſuch Shire-Towns,

XXXIV. Two Juſtices of Peace in each of the ſaid Shires and County have power to tax every City and Burrough in the ſeveral Counties where they inhabit reſpectively, towards the wages of the Burgesſes within the Shire-Towns, which taxes ſhall be again rated upon the Inhabitants of each ſuch City and Burrough by four or ſix diſcreet and ſubſtantial Burgesſes there, and then levied and paid by the Head-officers unto the Burgesſes of Parliament for the ſaid Shire-Towns, in manner and form aforeſaid, and upon the like pains.

XXXV. Stat. 16, 17. Car. 1. If a Parliament be not ſummoned and held before the 10. of September in the third year after the day of the ſitting or proroguing of this or any other Parliament thereafter to be held, the Lord Chancellor, Keeper, or other Comiſſioner or Comiſſioners of the Great Seal ſhall without any further warrant from the King, his heirs or ſucceſſors within fix dayes after ſuch 10. of September iſſue out the ſeveral and reſpective writs

for the convening of a Parliament to be held at *Westminster* upon the second Munday in *November* then next following; and shall hereafter for that purpose take this oath following.

XX XVI. You shall swear that you shall truly and faithfully issue forth, and send abroad all writs of summons to Parliament for both Houses, at such time, and in such manner as is expressed and enjoined by an Act of Parliament, intituled; An Act for the preventing of Inconveniencies happening by the long intermission of Parliaments.

XXXVII. The said Chancellor, Keeper, Commissioner or Commissioners shall not execute that office, before they have taken the said Oath, in pain (besides Perjury) to be punished by the next ensuing Parliament.

XXXVIII. If the said Officers fail to summon the Parliament, the Peeres or any twelve or more of them (meeting in the old Palace of *Westminster* at the usual place there upon the third Munday of the said *November*) shall without any further warrant, as aforesaid, on or before the last Munday in *November* next ensuing such 10 of *September* issue out writs in like manner for the summons of a Parliament to be held the third munday in *January* then next following, and the Clerks of the Petty-bag, &c. shall for that purpose make writs ready for the signatures of the said Lords, in pain to lose their offices, and to be further punished by the Parliament: Also all messengers appointed by the said Lords shall speedily deliver such writs, in pain of like punishment.

XXXIX. If the Lords issue not out such writs, or the writs come not to the places whither they are directed, so that there is not a Parliament held before the 23 of *January*, then shall it be held upon the second tuesday in *March*, where the Peeres shall then assemble, and the Sherifes of the Counties, Cities and Burroughs, also the Chancellor, Masters and Fellowes of the Universities, and the Major and Bailiffes of *Barwick* shall at their Courts next after the 23 of *January* by 10 of the clock in the morning proceed to cause elections to be made for the Parliament; and the Sherifes of Counties, the Constable of *Dover-Castle*, and the Warden of the Cinque ports shall after the 23 of *January* and before the 8 of *February* issue out warrants for the same purpose, and make their Elections before the last of *February*; and in case these Officers do also fail to cause due elections to be made for the Parliament, then shall the persons who have voices in such elections do it, and shall also make returns thereof, if the Sherifes or other Officers refuse or neglect to do it.

XL. If any shall contrive or execute any proclamation or other order whereby the execution of this Act may be restrained, he shall incur a *Premunire*, and if any Sheriff, a Constable of Dover or Warden of the Cinque ports do not their duties herein, they shall forfeit 1000*li.* also every County, Citie, Cinque port, and Burrough failing therein shall forfeit, *viz.* a County 1000 *li.* a Citie which is in a County, 200 *li.* and every Cinque port or Burrough 1000 *li.*

XL. The said forfeitures may be recovered by Action of debt, bill, &c. in any Court at *westminster* in the name of the Major of London without using his Christian or surname, and therein no *essoine*, protection, restraint, &c. shall be allowed, neither shall the defendant hinder the proceeding or execution thereof, in pain to incur a *Premunire*; also such action shall not abate or discontinue by the death of the Lord Major, but such successors shall pursue it.

XLII. The Fifth part of the said forfeitures the Corporation of London shall have, but the residue shall be disposed of by the house of Commons.

XLIII. Howbeit, if any Election made by the Freeholders, Citizens or Burgesses shall be adjudged void by the house of Commons, yet shall they not incur any penalty in case an Election were *de facto* made.

XLIV. No Parliament shall be dissolved or prorogued within 50 dayes after the first meeting without the consent of the King and both Houses; neither shall either of the Houses be adjourned within the said 50 dayes without the free consent of every of them respectively; Here also either house shall choose their respective Speaker, and enjoy their priviledges without taking the Oaths of Supremacie and Allegiance, unless the King require them to be taken. Lastly, all Acts of continuance are continued.

XLV. Stat. 16, 17. Car. 7. This Parliament shall not be dissolved, prorogued or adjourned but by Act of Parliament; neither shall the Houses of Peers or Commons be adjourned, but by themselves, and their own Orders respectively.

Parson, Vicar, and Parsonage.

I. Stat. 14. E. 3. Stat. 1. 17. Parsons, Vicars, Wardens of Chappels, and Provost-Wardens and Priests of perpetual Chanteries, shall have their writs of *Juris utrum*, of lands and tenements, rents and possessions, annexed and given perpetually in Almes to Vicarages,

Chappels, or Chanteries, and recover by other writs in their case, as far forth as Parsons of Churches and Prebends.

Partition and Parceners.

I. **Statutum Hibernie**, 14.H.3. If land descend to several Coparceners, they shall all hold of the Chief Lord of the fee, and not one of another: This is the usage in *England*, and shall also be observed in *Ireland*.

II. **Prerog. Reg.** 5.17.E.2. If one inheritance, that is holden of the King in chief descend to many Parceners, all the heires shall do homage to the King, and that Inheritance shall be divided amongst those heirs, so that every of them after shall hold their part of the King.

III. **Stat.** 31.H.8.1. Joint-tenants and tenants in common of any inheritance in their own right, or in the right of their wives in any Mannors, Lands, Tenements or Hereditaments may be compelled to make partition by writ, *de partitione facienda*, as Coparceners are compellable to do, and this writ shall be pursued at the Common Law.

IV. Provided, that after such partition made, they shall have aid one of another, and of their heirs to deraigne warranty, and to recover for the rate as Coparceners use to have.

V. **Stat.** 32.H.8.32. Joint-tenants and tenants in common, that have inheritance or free-hold in any Mannors, Lands, tenements, or hereditaments, shall also be compellable to make partition by the said writ to be pursued upon their case. Howbeit such partition shall not be prejudicial to any, but the parties to such partition, their executors and assignes.

Passage and Arrivage.

I. **Stat.** 8.H.6.17. Any of the Inhabitants of *Temkesbury* in *Com. Gloucester* may have an action of debt (according to the Stat. of *Winchester*) to recover against the Commonalty of the Forest of Dean, & Hundred of *Bledislow* & *Westbury* (though no Communalitie) recompence for robberies and wrongs done them upon *Severn*: Also the goods of any private person may be taken upon an execution awarded against the Commonalty; Any person may arrest and imprison the offenders, and he whose goods are taken in execution, may have an action of trespass or debt against the offender.

II. **Stat.**

I. Stat. 9. H. 6. 5. All persons shall have free passage in *Severn* with Flores and Drags, and all other merchandize goods and chattels, and if any be disturbed, he shall have his remedy by action at the Common Law.

II. Stat. 19. H. 7. 18. Another stricter Statute for the free passage of *Severn*: See the Statute at large.

IV. Stat. 23. H. 8. 12. None shall interrupt the passage upon the banks of *Severne*, or take or ask any tax, or toll for the same; in pain of 40 s. to be divided betwixt the King and the party grieved.

V. Stat. 26. H. 8. 5. Justices of Peace in the Counties of *Glocester* and *Summerfet* in Sessions shall bind Keepers of Feries over *Severn* by Recognifance with good sureties, that they shall not transport any passenger or cattel out of *England* into *Wales* or the Forreist of *Dean*, or from either of those places into *England*, before Sun-rising or after Sun-set, unlesse such as they know and will answer for; And besides, the parties so offending shall thereby incurre fine and Imprisonment.

VI. Stat. 2. & 3. P. M. 16. At the first Court of Aldermen in *London* next after 1 of *March*, out of the watermen betwixt *Gravenesend* and *Windfor*, there shall be eight chosen for Overseers, which shall have power to keep good order amongst the rest.

VII. Two Watermen shall not carry any, but where one of them hath exercised that profession two years before that time, and hath been allowed by the greater part of the said Overseers under Known Seal; In pain to be committed to one of the Counters by the said Overseers for one moneth or for lesse time, as the offence shall deserve.

VIII. No single-man, which is no houtholder, nor retained as an Apprentice, or as a servant for one yeare at least, shall exercise that profession, betwixt the places of aforesaid, in paine of like punishment.

IX. The Lord Major and Aldermen of *London*, and the Justices of Peace within the Counties adjoining to the River of *Thames*, upon complaint of any two of the Overseers, or of any Watermans, Master, have power not only to hear and determine any offences committed against this Act, and to enlarge any Waterman unjustly punished by the said Overseers, but likewise to inflict punishment upon the Overseers themselves, in case they unjustly punish any person by colour of this Act.

X. A Wherry, that is not 22 foot and an half long, and 4 foot and an halfe broad in the Mid-ship, and sufficient to carry two per-

sons on one side right, shall be forfeit; in which case the King and Queen shall have the one Moiety, and the Informer the other.

X I. The Water-man, that withdrawes himselfe in time of pressing (it being proved by two witnesses before the said Major, Aldermen, or Justice, and two of the said Overseers) shall suffer a fortnights Imprisonment, and shall be prohibited to row any more upon *Thames* for a yeare and a day after.

X I I. The Overseers shall not only call the Water-men before them, direct them and register their names, but likewise examine their boats before they be lanced, whether they have due proportion and goodnesse according to this Act.

X I I I. If the Overseers refuse or neglect their office, they shall forfeit 5 *l.* whereof the King and Queen shall have the one Moiety, and the informer the other.

X I V. The Court of Aldermen shall assess the fares of Water-men, which being subscribed by two of the Privie Councill (at least) shall be set up in *Guild-Hall*, *Westminster-Hall*, &c. And the waterman that takes more then according to the Fares so assessed, shall for every such offence suffer halfe a yeares Imprisonment, and forfeit 40 *s.* to be divided, as before.

X V. Stat. 1. Jac. 16. No Water-man shall retaine any servant or Apprentice, unlesse he himself hath been an Apprentice to a Waterman by the space of five yeares before, and not an Apprentice under the age of 18 yeeres, or for lesse time then seven years, in pain to forfeit for every such offence 10 *l.* to be divided betwixt the King and the Prosecutor.

X V I. This Act shall not restraine Watermens sonnes of convenient growth and strength, and formerly trained up in Rowing, but that they may be allowed to serve as Apprenticss, and to carry Passengers from place to place at the age of 16 yeares.

X V I I. The 8 Overseers shall yearely upon the first of *March* and the first of *September*, cause openly to be read in their Common-hall all their Orders, made or to be made, in pain that every of them for every such default shall forfeit 20 nobles, to be divided betwixt the King and the Prosecutor.

X V I I I. Stat. 21. Jac. 32. The River of *Thames* shall be made Navigable for Barges Boates, and Lighters from the Village of *Bercot* in the County of *Oxon* unto the Universitie and Citie of *Oxon*. See the Statute at large.

Patents.

I. *Stat. Reg. Cap. 15. 17. E. 2.* The Kings gift or grant of land or a Mannor *cum pertinentiis* conveyeth not Knights Fees, Advowsons, or Dowers, without expresse words.

II. *Stat. 11. R. 2. 8.* All annuities, and other things given or granted by the King, his Father, or Grandfather with this Clause, *Quousque pro statu suo aliter duxerimus ordinandum*, shall be void; if other things have been afterwards accepted by the grantees thereof.

III. *Stat. 1. H. 4. 6.* To the intent that the King might not hereafter be deceived in his grants, he is content (by the assent of the Lords Spiritual and Temporal, and at the request of the Commons) to be hereafter concluded by the wise men of his Council in things touching the estate of him and his Realme, saving alwaies his libertie.

IV. In a Petition to the King for Lands, Annuities, Offices, &c, their value shall be therein exprest; Otherwise the Letters Patents thereupon had shall be void.

V. *Stat. 18. H. 6. 1.* All Letters Patents, which beare not date the day of the delivery of the Kings Warrant into the *Chancery*, shall be void.

VI. *Stat. 6. H. 8. 15.* If any make suit to the King for lands, Offices, or other things formerly granted to any person during the Kings pleasure, the first patentee being still in life, the last grantee shall expresse in his petition or Patent the former Patent, and the determination of his pleasure concerning the same, otherwise the last grant shall be void.

VII. *Stat. 34, 35. H. 8. 21.* The King shall hold and enjoy all Honours, Mannors, Lands and other Hereditaments, which he hath obtained since the 4 of *February* in the 27 year of his reigne, or shall hereafter obtain within 7 yeares next after the making of this Act, by bargain, exchange, or purchase; Notwithstanding any misrecital, non-recital, or not naming of the said Honours, &c. or of the places, where they lie, or of any part thereof or any other matter or cause whatsoever.

VIII. The right of others is saved, save onely for rents services, and rents secks.

IX. All Letters Patents and Grants made by the King since the said 4 of *February* or which shall be hereafter made by him within 7 yeares next after the making of this Act, shall be good; Notwithstanding

standing any mis-naming, mis-recital, non-recital, not finding of Offices, mis-recital or non-recital of leases, uncertainly miscasting, rating or setting forth of the yearly values or rates of the things granted, or of the yearly rents thereof, want of Attornment, and delivery of seisin, or the mis-naming of the places where the things granted do lie, or of the tenants or farmers of them or any of them.

X. Provided, that (notwithstanding this Act) the Kings grants of offices and their fees for keeping of Castles. Houses, Parks, Chafes, Forrests, or Block-houses shall be void, when the cause of exercising such offices is determined.

X I. Provided also that this Act shall not extend to revive any Letters Patents of any Office granted by the King, which have been made void by authority of Parliament, Judgement, Decree, or otherwise.

X II. This Act shall not be prejudicial to any Letters Patents, Indentures or Writings made after the said 4 of *February*, and before the 28 of *April* in the 28 year of the Kings Reigne, or to any other Statute made for the Corroboration of such Letters Patents, Indentures or Writings.

X III. Stat. 1. E. 6. 8. Such another Statute made for the confirmation of all grants made and to be made by E. 6. from the 28 of *January* in the 1 yeare of his reign, and so during his life, with such provisoes and limitations, as in the former Act of 34. 35. of H. 8. are contained. See the Statute.

X IV. Stat. 7. E. 6. 3. A confirmation of the Kings Letters Patents, notwithstanding his nonage, or any statute heretofore made for the reservation of tenures, rents, or tenths.

X. Stat. 4. 5. P. M. 1. Another like Act made for the confirmation of all grants made and to be made to or by the Queen or the King and Queen from the first of *July* in the first year of her Reign, and so during her life, with such provisoes and limitations, as in the said former Acts of H. 8. and E. 6. are contained.

X V I. Stat. 18. El. 2. Another like confirmation of all grants made to, for, or by the Queen, or to be so made within seven years next after the end of this Session, with like provisoes and limitations, as in the former Statutes.

X V I I. Stat. 35. El. 3. All Abby-lands which came to the hands of H. 8. shall be adjudged to have been in his actual and lawfull possession, notwithstanding any defect, want or insufficiency of or in any surrender, grant, or conveyance thereof or of any part thereof made to the said King, or any other matter or cause whatsoever, whereby he might have been entitled thereunto.

XVIII. All

XVIII. All Letters Patents made by him (since the 4 of February in the 27 yeare of his reigne) for the foundation of any Deane and Chapter, or Colledge, shall be adjudged good.

XIX. The right of all others (except of Abbots, Priors, &c.) is saved.

XX. Stat. 43. El. 1. All grants made to the Queene since the 8 of February in the 25 yeare of her reigne (except by Ecclesiastical persons or bodies politique, not having power or ability to make such grants) are confirmed.

XXI. The right of all others is saved, except of the parties and privies to such grants.

XXII. All grants made by the Queen to others since the said time, as also all others, that should be made (by force of a commission then on foot) before the end of this session, or within one yeare after shall be good.

XXIII. The Letters Patents of all such grants shall be expounded most beneficiall for the patentees, any mis-naming, mis-recital, non-recital, &c. notwithstanding.

XXIV. This Act shall not extend to Lettres Patents of Offices nor of concealments, except such concealments onely as are sold by Commissioners.

XXV. Neither shall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of record at Westminster, or by Act of Parliament; neither yet those of Monopolies, or for toleration of any offence prohibited by any penal Law; nor of Lands, where there is an estate tail in the Queen, unless such estate be duly recited.

XXVI. Here also the right of others is saved.

XXVII. Stat. 21. Jac. 25. The King nor any other claiming from, by, or under him shall hereafter take advantage against the Kings Patentees or Tenants for default of payment of rent, or other duty to be performed; so as the rent be paid or such duty performed before such advantage taken, or any Commission awarded to enquire, or other proccesse shall be issued for such forfeiture.

XXVIII. Stat. 21. Jac. 29. All Leases made and to be made by Prince Charles of the Dutchy Lands of Cornwall shall be good.

XXIX. Howbeit they shall not be good, unless they be in possession, and granted only for 31 yeares or three lives, or estates determinable upon 31 yeares or 3 lives, and thereupon also the accustomed rent for the greater part of 20 yeares before shall be reserved; & where no such rent hath been payable, a reasonable rent shall be reserved,

reserved, nor under the twentieth part of the cleer yearly value, neither shall such leases be dispunishable of waste.

X X I X. All covenants and other agreements contained in such Leases shall be good.

X X X. The right of others (except of the King and Prince and their successors) is saved.

X X X I. 1. Car. 2. Such another Act for Leases to be made of the said Duchy Lands within three yeares, with such Clauses and Provisoos, as in the Act of 21. Jac. 29.

Paving.

I. Stat. 24. H. 8. 11. The Street-way between *Charing-Cross* and *Strond-Cross* shall be sufficiently paved at the charge of the Owners of the lands adjoyning to the same, and shall also be afterwards repaired by them, in pain to forfeit to the King 12 d. for every yard square not so paved and repaired, & 25. H. 8. for *Holborne & Southwarke*.

II. Stat. 32. H. 8. 17. All persons having Lands betwixt *Agate* and *White-Chappel-Church*, or in *Chancery-lane*, *Graies-Inne-Lane*, *Shoe-lane*, *Fetter-lane*, or the way betwixt *Holborne-barres* and *Higb-Holborne*, as farre as any houses are there built shall before the 24 of June 1542 sufficiently pave so much of the Streets and Lanes aforesaid as are next adjoyning to their said lands, and continue them in good repair, in paine to forfeit for every yard square not so paved or repaired 6 d.

III. The Major, Aldermen, and Justices in *London*, and the Justices of Peace in *Middlesex* have power (within their respective Jurisdictions) to inquire, hear and determine in Sessions the defaults. And in case the said Justices shall be found remisse therein, they shall respectively forfeit 5 l.

IV. The Clerk of the Peace in *Middlesex* shall duely estreate in to the *Exchequer* the Fines and Forfeitures happening upon this Act in pain of 5 l. to be divided betwixt the King and the Prosecutor.

V. Any three Justices in *London* (whereof the Major is to be one) have power to set Fines upon such as do not pave or repaire any Street or lane in *London* or the Liberties thereof, to be levied (by distresse, Plaint or action) by the Chamberlain, to the use of the Major and Communalitie of the said Citie.

VI. The Inhabitant paying his part in the said streets or lanes, may default so much of his rent from his Lessor as the charge thereof shall amount unto, unlesse it be otherwise agreed betwixt them.

VII. Stat. 35. H. 8. 12. Another like Statute for the Paving and repairing of *White-Crosse-street*, *Chef-well-street*, *Golding-lane*, *Crub-street*, *Gof-well-street*, *Long-lane*, *Saint-Johns-street*, the streets there leading from the Bars to *Cow-Cross*, *Water-lane* in *Fleet-street*, the streets behind *Saint Clements-Church* without *Temple-Bar*, the way from the West-bars in *Torbil-street* in *Westminster*, to the west-end of *Petit-France*, the way without *Bishops-gate* above *Shore-ditch Church*, *Strond-bridge*, and the way leading from thence towards *Temple-Barre*, and *Foskue-lane* Leading downe to *Strond-bridge*: And (in this Act) the Iustices of *Middlesex* have also power to set fines upon the defaulters at their discretiou.

VIII. Stat. 13. El. 23. Another Act of like nature for paving and keeping in repaire the way without *Algate* called the *Barres* without *Algate*, another leading from the *Old-Cage*, there to the North-end of *Nightingale-lane*, and another between the said *old Cage* and *Crosse-Mill* in the parish of *Saint Mary*, the pain for default being 3 s. 4 d. to the *Queen* for every yard square not so paved or repaired: This Act likewise provides for the Scowring and Cleansing of certaine Ditches thereabouts.

IX. Stat. 18. El. 19. An Act for the Paving of *Chichester*.

X. Stat. 23. El. 12. Another Act for the paving of the *Minories*, being an Additional Act to 13. El. 23. And the Ditch in *Hog-lane*, shall be scowred and cleansed by the owners of the lands lying on the north-side of the said lane, in pain to forfeit 6 s. 8 d. for every pole uncleansed: And by this Act the Justices of Peace in *London* and *Middlesex* shall appoint Scavengers.

XI. Stat. 3. Jac. 22. Another Act for the paving and keeping in repaire the streets in *S. Giles* in the fields, and *Drury-lane*.

Peace.

I. Stat. 2. E. 2. The Statute of *winchester* and other Statutes made for the keeping of the peace shall be duely observed.

II. The Justices assigned shall have power to punish resisters of the peace.

III. Stat. 1. R. 2. 2. Peace shall be kept, and Justice and right duly administred to all persons: See also the Statutes of 1. H. 4. 1. 2. H. 4. and 1. 7. H. 4. 1. to the like effect.

Pensions, Portions, and Corodies.

I. Stat. 34, 35. 8. 19. Pensions, Portions, Corodies, Indemnities,

nities, Synodics, Proxies, and all other profits due out of Religious Lands dissolved shall be paid to Bishops, Arch-deacons, and other Ecclesiastical persons by the Occupiers of the same lands, if such Ecclesiastical person were seized thereof within ten years before their dissolution: And if upon suits in the Ecclesiastical Court for the same the defendant be convicted, the Plaintiff shall recover the value thereof in damages together with his costs of suit: The like he shall recover at the common law, when the cause is thereby determinable.

II. Provided, that if the King hath demised any of the said lands with a covenant to discharge the tenant of such Charges, that then the partie claiming the same shall sue for them in the Court of Augmentations, and not elsewhere.

Perjury.

I. Stat. 5. Ed. 9. None shall suborn a witness to give testimony in any Court of Record concerning any lands, goods, debts or damages, in pain of 40 l. and if the offender (being convicted thereof) hath not wherewithal to satisfy the said forfeiture, he shall suffer six months imprisonment without Bail, stand upon the Pillory one whole hour in the same or next Market-town where the offence was committed, and be for ever after disabled to give testimony in any Court of Record, until the Judgement given against him be reversed by Attaint, or otherwise.

II. He that commits wilfull perjury shall forfeit 20 l. suffer six months imprisonment without bail, and be ever after disabled to give evidence, until the Judgement given against him be reversed, as aforesaid: and here also, if he hath not wherewithal to discharge the fine, (in the Countrey) the Sheriffe, or (in a Corporation) the Head-Officer shall cause him to be set upon the Pillory in some Market-place, and to have both his ears nailed.

III. The forfeitures above-said shall be divided betwixt the Queen and the party grieved.

IV. Judges of the Courts, where such offences shall happen to be committed, Justices of Assize, Gaol-delivery, and of Peace, have power to hear and determine the same offences.

V. This Act shall be proclaimed at every Assize.

VI. This Act shall not extend to any Court Ecclesiastical, but that they may there proceed, as in times past.

VII. This Act shall not restrain the power of the Star-chamber, nor of the Councils of Wales, or in the North, to punish heinous perjuries: But that they may proceed, as formerly, so as for the said offence.

Physicians and Surgeons

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ences they inflict no less punishment, then by this Statute is ordained.

Physicians and Surgeons.

I. Stat. 3. H. 8. 11. None in *London*, or within seven miles thereof shall exercise as a Physician or Surgeon, except first examined and admitted thereunto by the Bishop of *London* or Dean of *Pauls*, calling to him or them for the first examination four Doctors of Physick, and for Surgery, other expert persons in that faculty, and afterwards of them that so shall be approved, in pain to forfeit for every moneth they exercise Physick or Surgery not so examined and admitted 5 *l.* to be divided betwixt the King and the prosecutor.

I. I. In other places without the said Precinct of seven miles none shall exercise the said professions, unlesse examined and approved by the Bishop of the Diocess, or (in his absence) by his Vicar general, calling to them expert men in those professions at their discretion, and giving Letters testimonial under their seal to him they shall so approve, upon the like pain, to be divided, as aforesaid.

III. This Act shall not extend to the Universities.

IV. Stat. 5. H. 8. 6. The Surgeons of *London* shall be exempt forbearing the office of Constable, or any other office, watching, bearing of Armes, or to serve upon Inquests in *London*, so that their incorporation exceed not the number of 12.

V. This Act shall also extend to Barber-Surgeons approved and admitted, according to the Statute of 3. H. 8. 11.

VI. Stat. 14. H. 8. 5. The Kings Charter for the Incorporating of the Colledge of Physicians in *London* (bearing date the 23. of September in the tenth year of his Reign) is confirmed; the substance whereof is, as followeth.

VII. A perpetual Colledge of Physicians is granted and erected in *London*, and within seven miles compasse of the same, who shall have power to chuse yearly a President for the better government of the same; and shall also have perpetual succession, a common seal, and ability to purchase lands, not exceeding 12 *l.* per annum, They may sue and be sued, make ordinances for the good government of the Colledge, and of all others that practise Physick within the said limits. Neither shall any practise Physick within that Circuit, unlesse approved under the seal of that Colledge, in pain of 5 *l.* to be divided betwixt the King and the same Colledge. Likewise,

wile, four Physicians of *London* shall be yearly chosen to supervise the rest, as also their medicines, and receipts, so that such as offend may be punished by fines, amerciements, imprisonment, or other due meanes. Lastly, Physicians shall not be put upon Enquests in *London*, or elsewhere: Howbeit these Letters Patents shall not be prejudicial to the City of *London*, nor the Liberties thereof.

VIII. There shall eight of the Colledge be called *Elects*, who from amongst themselves shall yearly chuse a President, and as any of the *Elects* fail (by death or otherwise) others shall be chosen in their places, by the survivors of the same *Elects*.

IX. None shall practice Physick in the Countrey without a testimonial of his sufficiency from the President and three of the *Elects* of the said Colledge, unlesse he be a Graduate in one of the Universities.

X. Stat. 32. H. 8. 40. Physicians are discharged from keeping watch or ward, or bearing the office of Constable, or any other office within the Citie of *London* or the Suburbs thereof.

XI. Four Physicians shall be yearly chosen by the Colledge; and shall have an Oath given them by the President to search Apothecaries Wares, and if they shall finde any of them faulty, shall call to them the Wardens of the Mystery of Apothecaries in *London*, and cause them to be burnt or otherwise destroyed.

XII. No Apothecarie shall resist their search, in pain of 5 l. to be divided betwixt the King and the prosecutor.

XIII. If any of the Physicians so chosen refuse to take his Oath; or (after being sworne) refuse to make search once in the yeare, he shall forfeit 40 s.

XIV. Any of the Company of Physicians in *London* may also practise Surgerie.

XV. Stat. 32. H. 42. The Barbers and Surgeons of *London* are made one Companie, and Incorporated by the name of the Masters and Governors of the Mystery and Communalty of Barbers and Surgeons of *London*, and by that name shall sue and be sued, purchase lands, use a Common Seal, and possesse the lands, which now the Commonalty of Barbers of *London* do enjoy, as also all liberties, and priviledges heretofore granted to either of the said Companies by E. 4. H. 7. or this present King: Also such of them as are admitted to the practice of Surgery shall be exempt from bearing of Armes, Watches, and Enquests: This Company shall likewise have the search, oversight, punishment and correction of Offences committed against Barberie or Surgery, according to the Statute of 19. H. 7. 7. which see in Corporations: yet here, the right of all others to their lands is saved.

XVI. The Surgeons may take yearly four condemned persons for Anatomies, without any suit to the King, or other interruption for the same.

XVII. No Barber in *London* and within a mile compasse thereof shall use Surgery; Neither shall any Surgeon there use Barbery or shaving.

XVIII. Every Surgeon in *London* shall have a Signe at his Door.

XIX. None shall be a Barber in *London* but a Free-man of that Companie.

XX. At the times heretofore accustomed there shall be four Masters or Governours of this Corporation chosen, *viz.* two Surgeons, and two Barbers, who shall have the search, oversight, punishment and Correction of all defaults and inconveniences in either of those professions within the circuit aforesaid.

XXI. The Barber or Surgeon offending in any of the Articles shall for every moneth so offending forfeit $\text{5} \text{ l.}$ to be divided betwixt the King and the Prosecutor.

XXII. Howbeit the Surgeons and Barbers in *London* shall pay Scot and Lot as in former times. And any person may keepe a Barber or Surgeon in his house, as his Servant, notwithstanding this Statute.

XXIII. Stat. 34, 35. H. 8. 8. It shall be lawful for any person having knowledge and experience of the nature of Herbs, Roots, and Waters, to practise and minister to any outward Sore, Ulcer, Wound, Apostumation, outward Swelling or Disease any Herbe or Herbs, Oynments, Bathes, Poultres, and emplaisters according to their knowledge of the said Maladies or the like; as also drinckes for the Stone, Strangury, or Agues, without suit, penaltie, or losse, the Statute of 3. H. 8. 11. or any other Statute notwithstanding.

XXIV. Stat. 1. M. Parl. 1. Sessi. 2. Cap. 9. The Statute of 14. H. 8. 5. is confirmed.

XXV. When the President or Communitie of the Faculty of Physick in *London*, or others authorized (by 14. H. 8. 5.) to search and punish offenders, shall send or commit any such offender to any prison (except the Tower) the Warden, Gaoler or Keeper thereof shall receive and there safely keep such offender without bail, untill he shall be thence discharged by the said President or others authorized, as aforesaid; in paine to forfeit double the penalty of the offender, to be recovered by action of debt, and divided betwixt the Queen and the said President and Colledge.

XXVI. If the Wardens of the Apothecaries (in this Statute called the Wardens of the Grocers) or one of them do not immediately upon call go with the President or four of the elects (appointed to

Search the Apothecaries wares according to the Statute of 32. H. 8. 40.) the said President or four Elects shall do it without them, as also destroy such wares as they shall find faulty: And none shall resist such search in pain of 10 l. to be recovered in forme aforesaid.

XXVII. Justices of Peace, Majors, Sheriffes, Bailiffs, Constables, and other officers shall assist the said President, and all persons authorised by the said Colledge for the due execution of the said Lawes and Statutes; In paine to runne in Contempt of the Queen, her Heirs and Successors.

Plague.

I. Stat. 1. Jac. 31. The Major, Bailiffes, Head-officers, and Justices of Peace in a Corporation: or any two of them have power to tax the Inhabitants there towards the relief of such as are infected with the Plague, and to make warrant under their hands and seals for any person to levie the said tax upon the goods of such as shall refuse or neglect to pay the same; And in case no goods can be found to satisfie the tax (upon the parties refusal thereof) to commit him to prison, there to remain untill the tax be satisfied.

II. If the Corporation be not able to relieve the persons infected, upon Certificate thereof to the Justices of Peace of the County thereunto adjoyning or any two of them, by the said Officers and Justices of the Towne or any two of them, the said Justices of the Connty shall have like power to tax, levie, and imprison, as aforesaid, within five miles distance of the said Corporation.

III. In Townes and places Corporate, where there are no Justices, in and the Countrey, two Justices of Peace of the County shall tax, levie and imprison, as aforesaid, within five miles distant of the towne or place so infected.

IV. These taxes shall be certified in at the next Quart. Sessions of the Corporation or County respectively, and shall there be ordered, as by the Justices there or the more part of them shall be thought fit.

V. The Constable or other officer, which wilfully neglects to levie the tax upon a warrant as aforesaid, shall forfeit for every such default 10 s. to be employed upon the charitable uses aforesaid.

VI. If any infected person residing in an infected house (after command by a Justice or other officer) presume to come forth, the watch-men may resist him and if any hurt happen thereupon, the watch-men shall not be impeached therefore.

VII. If any person having a sore upon him go abroad, and converse

versé in Company, he shall suffer as a felon; but if he have no fore, he shall be onely punished as a Vagabond according to the Statute of 39. El. 4. *which in Vagabonds.*

VIII. No Attainder of Felonie by vertue of this Act shall extend to corruption of blood, or forfeiture of goods or lands.

IX. It shall be lawfull for the Justices of Peace and head-officers, to appoint Searchers, Watch-men, Examiners, Keepers, and buriers, and to minister unto them oathes for the due performance of their offices, and to give them other directions, as in their discretion shall be thought fit.

X. Justices of Peace or head-officers shall not (by force of this Act) meddle in the Universities, Cathedrall-Churches, or Colleges.

Playes and Games.

I. Stat. 33. H. 8. 9. Patents and Masters shall provide for each of their Sons and Male servants (betwixt the ages of 7 and 17) a bowe and two shafts, and cause them to exercise shooting in pain of 6 s. 8 d.

II. Sons and Male servants (betwixt the ages of 17 and 60) shall be furnished with a Bowe and two Arrows, and practice shooting therewith, in pain of 6 s. 8 d.

III. None under the Age of 24 yeares shall shoot at any standing marke (except at rovers, changing his marke every shoot) in pain of 4 d. a shoot, and none above that age shall shoot at any marke of 11 score distance or under, in pain of 6 s. 8 d. a shoot.

III. None under the age of 17 yeares shall shoot with a Bowe of Ewe, except his Parents be worth 10 li. *per annum* in lands, or 40 marks in goods, in paine of 6 s. 8 d.

V. The Inhabitants of every Town shall continue their Buts in good repair, in paine of 20 s. for every 5 moneths default.

VI. For every Bowe made of Ewe, the Bowyer not inhabiting London or the Suburbs thereof shall make four, and the Inhabitant there two bowes of other wood, in pain to forfeit for every such Bowe unmade 3 s. 4 d.

VII. Fletchers of London shall sell seasonable Timber to forreign Fletchers without prejudice.

VIII. Artificers of Archery (not freemen nor paying scot and lot) shall remove their abode from London and the Suburbs thereof to what other place they shall be assigned by his Majesties Council the Lord Chancellor, Treasurer, Privy Seal, or one of them,

in paine of 40 s. for every day they make their abode contrarie to this Act

IX. Aliens shall not convey Bowes and Arrows out of the Realme without his Majesties licence, in pain of Imprisonment without bail, untill they shall make fine to the King, to be set by (at least) two Justices in sessions, and give security for the same; neither shall they use shooting in pain to forfeit their bowes and Arrows to be taken from them by any of the Kings subjects.

X. Justices of Assise; Gaol-delivery, and Peace in sessions, and, Stewards in Leets shall hear and determine the breaches of this Act.

XI. The one moiety of all these forfeitures is given to the prosecutor, and the other, where there is no Leet, is given to the King, and, where there is a Leet, to the Lord of that Leet.

XII. None shall keep or maintain any house or place of unlawful Games, in pain of 40 s. and none shall use or haunt such places; in pain of 6 s. 8 d.

XIII. In every Placard to keep common gaming, the games here to be used shall be inserted, as also the persons, who shall play hereat, and every Placard otherwise granted shall be void: The grantee also of such a Placard shall be bound by recognisance in the *Chancery* with good sureties, not to use it contrary to the forme thereof.

XIV. It shall be lawfull for Justices of Peace in every County, and for head-Officers in Corporations (as well within Liberties as without) to enter and resort into all such houses and places, where such unlawful Games are suspected to be used, and as well the Keepers thereof as the resorters thereunto, to arrest and imprison, untill they shall severally give good security (at the discretion of the said Justices or officers) nor to keep such games any more.

XV. Every Major, Sheriff, Bailiff, Constable, and other head-officer within every Citie, Borough or Town shall make due search (as aforesaid) once every Moneth at least, in paine to forfeit 48 s. for every such default.

XVI. No Artificer, or his Journeyman, no Husbandman, Apprentice, Labourer, Servant at Husbandry, Mariman, Fisherman, Waterman, or Servingman, shall play at Tables, Tennis, Dice, Cardes, Bowles, Clash, Coyting, Logating, or any other unlawfull game out of *Christmas*, or then, out of their Masters house, or presence, in paine of 20 s. and none shall play at Bowles in open places out of his garden or orchard, in paine of 6 s. 8 d.

XVII. All Informations or suits upon this Statute shall be prosecuted within one year, and the forfeitures thereof, which happen within

within a Lect or Libertie, shall be divided betwixt the King and the Lord thereof, and in all other places, betwixt the King and the Prosecutor.

XVIII. Proclamation of this Act shall be made Quarterly in every Market-town, as also at every Gaol-delivery, Assize and Session.

XIX. This Act shall not restrain a servant (by his Masters licence) to play at Cards, Dice, or Tables with the Master himself or other Gentlemen resorting to his Masters house; And if the Master hath freehold of 100 *l. per annum*, he may also licence his servant to play at Bowls or Tennis.

XX. Stat. 2, 3. P. M. 9. All licences to keep houses or places of unlawfull games shall be void.

Players.

I. Stat. 3. Jac. 21. None shall in any Stage-play, shew, May-game or Pageant, profanely use the Name of God, Christ Jesus, the Holy Ghost, or Trinity, in pain of 10 *l.* to be divided betwixt the King and the prosecutor.

Pleading and Pleadors.

I. Stat. 36. E. 3. 15. All Pleas which shall be pleaded in any Court whatsoever within the Realm shall be pleaded, shewed depended, answered, debated, and judged in the English tongue, but entred and enrolled in Latine: Howbeit, the lawes and customes of this Realm, as also the termes and processe shall be holden, and kept, as before this time hath been used.

Pleas of the Crown.

I. Magna Carta, 17. 9. H. 8. No Sheriffe, Constable, Escheator, Coroner, or any other of our Bailiffes shall hold pleas of the Crown.

Plumstead-Marsh.

I. Divers Statutes have been made for the Inning and saving of Plumstead-Marsh, viz. 22. H. 8. 3. 14. El. not printed, 23. El. 13. and 27. El. 27. See them at large.

Poor People.

I. Stat. 11. H. 7. 12. Every poor person having cause of action shall have original writs and *Subpœnaes gratis*, also the Judge or Judges of the Court where the suit depends shall assign him Council and Attourney, who are thereby enjoined to dispatch his business without fees.

II. Stat. 43. El. 2. The Church-wardens of every Parish, and four, three, or two householders there (according to the greatness of the Parish) to be nominated yearly in *Easter-week*, or within one moneth after under the hands and seals of two Justices of Peace (1. Qu) shall be called overseers of the poor for the same Parish.

III. These Overseers, or a greater part of them shall take order (with the consent of two such Justices) for the setting of poor people to work, and for raising (by taxation) a convenient stock to work upon, to relieve impotent persons, to put forth Apprentices, and to perform all other things concerning the premises.

IV. These Officers or such of them as shall not be let by some just excuse (to be allowed by two such Justices) shall meet monethly in the Church upon Sunday after Evening-prayer, and there consider of some meet direction in the premises; and shall within four dayes after the end of their year and other Overseers nominated, yield up a true accompt to such two Justices, pay the surplussage thereof to their successors, and use all possible diligence in their office, in pain to forfeit for every such default 20 s.

V. Where the Inhabitants of any Parish are not able to relieve themselves, two such Justices may tax other Parishes and places, and the whole Hundred also (if need require) and where the whole Hundred is not able, Justices of Peace in Sessions may tax the County in part, or wholly at their discretions.

VI. It shall be lawful for the said Officers upon warrant from two such Justices to levy such tax or Surplussage by distress and sale of goods, and in default of distress two of the said Justices have power to commit the party to prison, there to remain without bail, until it be discharged, and also to commit persons, which refuse to work, to the House of Correction.

VII. The said Officers or the greater part of them with the assent of two Justices of Peace may binde poor children Apprentices, viz. a man-child till 24 years of age, and a woman-child till 21 years, or marriage.

VIII. The

VIII. The said Officers shall (with the consent of the Lord of the Mannor first obtain'd in writing under his hand and seal) either of themselves, or by vertue of a Sessions-order erect Cottages upon the Waste, and lodge In-mates therein, notwithstanding the Statute of 31. El. 7. But those Cottages shall not be afterwards otherwise employed then to lodge impotent persons therein, upon the pains mentioned in the said Statute of 31. El.

IX. Justices of Peace in Session shall rectifie unjust taxes, whose order therein shall be binding to all parts.

X. The Father, Grandfather, Mother, Grandmother, and Children of every poor person shall be assessed towards their relief, as the Justices of Peace in Sessions of the County where such Father, &c. dwells, shall limit and appoint, in paine to forfeit 20 s. a moneth.

XI. Officers in Corporate Towns, and Aldermen of London, have in their severall precincts like authority that Justices of Peace have in the Counties, which said Justices are not to intermeddle in Corporations for the execution of this Law.

XII. When one Parish extends into severall Counties or Liberties the Justices or Head Officers shall only intermeddle within their respective limits; but the Church-wardens and overseers shall have mixt Jurisdiction, and shall render accompt (as aforesaid) to the Justices or head-officers of both places.

XIII. If it happen Overseers not to be appointed according to this Statute, every Justice of P. or Head officer of that division or Corporation shall forfeit 5 l. to be levied by a Sessions warrant, and employed to the use of the poor of the Parish, where such default is made.

XIV. The forfeitures of this Statute shall be employed to the use of the poor, and levied by distresse and commitment, as aforesaid.

XV. Justices of Peace of every County and Corporation, or the more part of them, at Easter-Sessions shall yearly (or as often as they shall thinke fit,) rate every Parish at a certain summe, to be paid weekly but so as no Parish may pay more then six pence, nor less then a halfe peny, and (one parish being considered with another) nor above two pence a piece, through the whole County or Corporation; which sums so rated, the Church-wardens and Constable of every Parish or any of them (or in their default a Justice of Peace) have power to asseffe and levie by distresse, sale, and commitment, as aforesaid.

XVI. Justices of Peace shall then likewise rate every Parish to-

wards the relief of the Kings Bench and Marshalsey, and also of Hospitals and Almshouses, situate within their several jurisdictions, appointing only so much to the said Hospitals and Almshouses, that the Kings Bench and Marshalsey may each of them receive at least 20 s. yearly out of every County: And the sums thus to be assessed upon every Parish, the Church-wardens there shall collect and levie as before, and pay them over quarterly to the High-Constable of that respective division, ten dayes before every Quarter-Sessions, and the High-constables shall every Quarter-Sessions pay the same over to the two Treasurers of the County, or one of them; to be yearly chosen by the more part of the Justices of Peace, out of such subsidie-men as were taxed in the last tax of Subsidies at 5 li. lands or 10 li. goods: Which treasurers so chosen, shall yearly at Easter-Sessions render a true account to their successors and pay the monies in their hands to the Lord-chief-Justice of the Kings Bench, and the Knight-Marshall by equal portions. And here the Churchwarden, or his Executors, &c. which fails in payment to the High-constable shall forfeit 10 s. and the High-constable or his Executors, &c. which fails in payment to the Treasurers, shall forfeit 10 s. to be levied and employed by the said Treasurers, as aforesaid.

XV II. The Stock of every County shall be ordered and disposed to charitable uses, as the Justices or the more part of them shall think convenient.

XV III. The Treasurer that refuseth to execute his Office, to distribute reliefe, or to accompt, as the more part of the Justices shall direct, shall be fined by the same Justices, or (in their default) by the Judges of Assize, three pounds at least, which fine shall be levied by sale of goods, upon the prosecution of any two Justices authorised by the rest.

XI X. A provision for the Island of *Fowlenesse* in *Essex*.

XX. Upon an action brought for the due execution of this Act the Defendant may plead the generall issue, and yet give speciall matter in evidence, and shall also recover treble damages and his costs of suit.

XXI. Stat. 7. Jac. 3. Money given to put out poor children Apprentices shall be employed in Corporate Towns by the Corporations, and in other places by the Parson, or Vicar, together with the Constables, Churchwardens, and Overseers of the poor, or the most part of them, who shall not forbear or refuse to employ the same accordingly, in pain to forfeit five Marks each of them so making default, to be divided betwixt the poor of the Parish and the prosecutor,

XXII. The

XXII. The party taking money with such an Apprentice, shall give good security by obligation to repay it at the end of seven years next ensuing the date of the said Obligation, or within three moneths next after the end of the said seven years, and if such Apprentice shall die within the seven years, then within one year after his or her death: And if the Master, Mistris, or Dame, happen to die within the seven years, then within one year after their death, so as the money may be employed in placing the Apprentice with some other of the same trade, to serve out his time, at the discretion of the parties trusted, as aforesaid.

XXIII. The money so given shall be imployed within three moneths after the receipt thereof, and if there shall not be apt persons found in the places where it is given, to be Apprentices, it shall be employed in the Parishes next adjoining by the parties that are trusted with it in the places where it was so given, and there also Bond shall be taken, as before is declared,

XXIV. The choice of Apprentices shall be out of the poorest sort of children, whose parents are the least able to relieve them, and no such apprentice shall be above the age of 15 yeares when he or she is first bound.

XXV. The parties so trusted shall yearly in *Easter-week*, or within one moneth after, account before two or more of the next Justices of peace. And if there be any obligations or money remaining in their hands, they shall upon such accompt (or within ten dayes after) deliver the same unto their successors.

XXVI. If any Officer so trusted shall break the trust reposed in him, mis-employ the said money, or do any thing contrary to this Act, for which he cannot be punished by this Act, the Lord Chancellor or Keeper shall (upon the petition of any person) award a commission to such as shall think fit, to inquire, hear, and determine such offences; and if the Commissioners shall finde money so mis-employed, they shall (in places not Corporate) have power to rate, raise, and collect it upon the parties so offending; or otherwise upon the able Inhabitants of the City, Town, or parish so in default, as the said Commissioners or the greatest part of them shall think fit, and shall return the said Commission together with the manner of executing the same into the Chancery within three moneths next after such execution thereof.

XXVII. *Stat. 1. Jac. 25.* All persons, to whom the Overseers of the poor shall (according to the Statute of 43. El. 2.) binde any poor children Apprentices, may take, receive, and keep them, as Apprentices; See also the same continued and confirmed by 21. Jac. 28. and 3. Car. 4.

XXVIII. *Stat.*

XXVIII. Stat. 3. Car. 4. The aforesaid Statute of 1. Jac. 28. is again continued and confirmed.

XXIX. The Churchwardens and Overseers of the poor (mentioned in the Statute of 43. El. 2.) may with the consent of two or more Justices of Peace (1. Qu.) within their respective limits, wherein there shall be more Justices of Peace than one, and where no more shall be then one, with the assent of that one Justice, set up, use, and occupie any Trade, Mystery or Occupation, onely for the setting on work and better relief of the poor of the Parish or place, where they so bear office respectively.

Prærogativa Regis.

I. West. 1. 48. 3. E. 1. Forasmuch as the King hath ordeined these things, viz. this Statute of *Westm. 1.*) for the honour of God and the Church, and for the Common-wealth, and for remedy of such as are grieved, he would not, that any at other time it should turn in prejudice of him, or of his Crown, but that such right as appertain to him should be saved in all points.

President of the Council.

I. Stat. 21. H. 8. 10. Pars inde. The President of the Kings Council (if he be present) may associate the Lord Chancellor, Treasurer and Privy Seal, at naming of Sheriffes, setting of prices of Wines, and at all other Acts limited (by any Statute) to be done by the said Chancellor and Treasurer, or Keeper of the Privie Seal.

Primer seisin.

I. Prærog. Reg. 3. 17. E. 2. The King shall have *Primer seisin* after the death of his tenant in chief, of all the lands whereof he died seised in his demesne as of fee, of what age soever the heir be, taking the issues of the same lands, until Inquisition be made, and he have taken homage of such heir.

Prison, Prisoners, Gaol, and Gaolers

I. Stat. 1. E. 3. Stat. 1. 7. The Justices of either Bench, Assize, and Gaol-delivery shall hear and determine all plaints made against Sheriffes, and Gaolers, who shall compel or procure prisoners

soners to become approvers, viz. to accuse others.

I I. Stat. 5. E. 3. 3. Endictees and appellees in the Kings Bench shall be safely kept in prison by the Marshals there, and not suffered to go at large, according to the charge given them by the Justices; And if any complain thereof, the Justices shall do him right, during the Termes.

III. At the end of every Term, the Marshals shall acquaint the Justices, in what Town they will keep such prisoners, and shall there allow them houses at their own charge.

IV. The Marshals, who suffer any such prisoner to go at large, shall suffer halfe a years imprisonment, and be ransomed at the Kings will, which the Justices shall have power to enquire of, when they see time.

V. The proceeding against the Marshals shall be within the Verge, and if the Marshals suffer any to escape, they shall be proceeded against according to law: howbeit the King intended not by this Statute to lose the escape, where he ought to have it.

VI. Stat. 14. E. 3. Stat. 1. 10. Gaols which were wont to be in the Sheriffs custody, shall be again rejoined to their Bailiwicks, and they shall put in such Keepers for whom they will answer.

VII. The Gaoler which by *dures* compells a prisoner to become an Approver, shall have judgement of life and member.

VIII. Stat. 13. R. 2. 15. The Kings Castles and Gaols, which were wont to be joyned to the bodies of the Counties, and be now severed, shall be re-joyned to the same.

IX. Stat. 5. H. 4. 10. Justices of Peace shall imprison none, but in the common Gaol; saving to Lords and others (who have Gaols) their franchise in this case.

X. Stat. 19 H. 7. 10. The Sheriffe of every County shall have the keeping of the common Gaol there, except such as any hold by inheritance or succession; also all Letters Patents of the keeping of Gaols for life or years are annulled and void: howbeit, the Kings Bench nor Marshalsey shall be in the custodie of any Sheriff, and the Patents of *Edward Courtney*, Earl of *Devon*, and *John Morgan* for keeping of prisons are excepted.

XI. Stat. 6. H. 8. 6. The Iustices of the Kings Bench have power (by their discretions) to remand as well the bodies of Felons, as their Indictments, into the Counties, where such felonies were committed; And also to command the Iustices of Gaol-delivery, of Peace, and all other Iustices and Commissioners there, to proceed and determine such felonies, in like manner as if their Bodies and Indictments had not been removed.

XII. Stat. 23. H. 8. 2. The Justices of Peace in *Essex, Suff. Dorset, Suff. Surr. Notting. Glocest. Bedf. Buck. Hunt. Wilts, Kent, Warw. Staff. Oxon. Bark. Leic. Rutl. Linc. Heref. North. Salop, Norf. Cornwall, and Derby*, or the greater part of them in their respective Counties, have power within one year to appoint the towns and places within their respective limits, where common Gaoles may be edified, and to tax the severall Counties for building and furnishing the same: Howbeit this tax was not to extend to Corporate townes, having Justices and common Gaoles of their owne.

XIII. Felons shall be committed to the said Common Gaols, and not elsewhere; And the Sheriffs shall have the Custodie thereof, and shall be allowed in their accompts (by the Barons of the Exchequer) the moneys expended by them in repaire of the same, without any bill or warrant of the Kings to be shewed in that behalf.

XIV. This Act shall not prejudice any person having a Common Gaole by Inheritance, or for life or years.

XV. Stat. 5. El. 24. The Statute of 23. H. 8. 2. is continued for 10 yeares, and shall extend to the Counties of *Pembroke, Glam. Cardig. Radnor, and Mountgomery.*

XVI. Stat. 13. El. 25. The Statute of 23. H. 8. 2. and 5. El. 24. shall extend to the County of *Cambridge*, and the said Acts shall continue in force 10 yeares after the 10 yeares of continuance, mentioned in 5 El. 24.

XVII. Stat. 14. El. 10. Justices of Peace in Sessi. or the more part of them have power to tax every Parish in the County (but not above 6 d. or 8 d. a piece) towards the relief of Prisoners, which tax the Church-wardens of every Parish shall levie every Sunday, and pay it in quarterly to the High-constable, or (in a Corporation) to the Head-Officer, and the High-constable or Head-Officer shall pay the same at every Quart. Sessi. to the Collectors thereof, to be appointed by the said Justices, who shall distribute it weekly to the said Prisoners.

XVIII. The Church-Wardens, High-Constables, Head-Officers, or Collectors aforesaid, which herein shall be found negligent, shall forfeit 5 l. to be divided betwixt the Queene and the Prisoners.

XIX. Justices of Peace within the County shall not intermeddle with a Corporation for the execution of this Act: But onely the Major and Head-Officers of the same.

XX. Stat. 3. Jac. 10. An Offender, which is to be conveyed to the Gaole, shall beare all charges, both of himselfe, and of those that guard him.

XXI. If he refuse so to do, upon warrant from a Justice of Peace the Constable of the Town-ship, where he hath any goods (being within the same County) may sell so much thereof, as in the discretion of the said Justice shall be thought sufficient to satisfy the said Charges; the Appraisement thereof to be made by the neighbours there, and the Overplus to be rendred to the said Offender.

XXII. If the Offender hath no goods to satisfy the charges, the Constables, Church-wardens, and two or three other honest Inhabitants, or in case there be no such Officers there) four of the principall Inhabitants of the Parish, where he was taken, shall make a tax, according to which (being allowed under the hand of a Justice of peace) every Inhabitant shall pay the said charges; And upon refusall (by warrant from a Justice of Peace) the Constable, Tythingman, or other Officer hath power to levie the same by distress, and (after appraisement by four Inhabitants there) to sell the same, rendring the Overplus to the partie so refusing.

XXIII. Here if the Officer, that distraines, be sued, he shall plead Justification, and upon Verdict for him or Non-suit of the Plaintiffe, shall recover treble damages besides costs of suit.

Probat of Testaments.

I. Stat. 31. E. 3. 4. Bishops shall restraine their Officers from taking excessive fees for Probats of Testaments, in paine to have them indicted before the Justices for extortion, as hath been heretofore used.

II. Stat. 21. H. 8. 5. Nothing shall be given for the probat of a will or Commission of Administration, when the goods of the dead exceed not 5 l. save only 6 d. to the Register; Nevertheless the Judge shall not refuse to prove such a Testament, being exhibited unto him in writing with wax ready to be sealed and proved *Communi forma*, but shall dispatch the party without delay.

III. For the probat of a will and all other things concerning the same, when the goods of the dead exceed 5 l. but not 40 l. the Judges fee is 2s. 6d. and the Registers 12 d. And when they exceed 40 l. the Judges Fee is 2s. 6d. as before, and the Registers as much; Or the Register may refuse the 2 s. 6 d. and take a peny for every ten lines of the will, each line being conceived to containe ten lynes in length; And for these fees they shall dispatch the partie, without frustratory delay.

IV. Where there is no Will, or the Executors refuse it, Administration

stration ought to be committed to the Intestates widow, if he left any, or to the widow and the next of the Kindred, or (in case he left no widow) to one or more of the Kindred, or (in case they look not after it) to any creditor or creditors, that desire it, or (in case they also neglect it) to any other person or persons at the discretion of the Ordinary, who is enjoined to take security of such Administrators for the due administration of the Intestates goods.

V. Nothing shall be given for Letters of Administration, when the Intestates goods exceed not 5 *l.* and when they exceed 5 *l.* but not 40 *l.* the Officers fees are onely 2 *s.* 6 *d.*

VI. The Executors or Administrators (calling to them two or more Creditors, or so many of the next of the Kinne, or (in their default) two or more neighbours or friends of the dead) shall in their presence cause a true Inventorie to be made of the goods, and shall deliver the same in upon oath unto the Ordinary indented, whereof one part shall remaine with the Ordinary, and the other with the Executors or Administrators.

VII. The Judge or Ordinary shall not refuse to receive an Inventory indented, so tendered unto him in Court, together with his oath to verifie the same.

VIII. Lands devised to be sold shall not be accompted any of the testators goods.

IX. The fee for the Copie either of the Will or Inventory is the same with that above-allowed for registering the will, or else the Register may take a peny for every ten lines of the length as afore-said.

X. The Officer that takes more then his due fee shall forfeit that excessive to the party grieved, and besides 10 *l.* to be dividen betwixt the King, and the same party grieved.

XI. This Act shall not alter the custome, where lesse money hath been for probate of Testaments.

XII. The Ordinary may convent executors to prove the testators Will, and to bring in the Inventory, as before, notwithstanding this Act.

Processe.

I. *Artic. super cart. 15. 28. E. 1.* The summons and attachments of plea of land shall contain 15 dayes, except attachment of Assizes in the Kings presence, and pleas before Justices in Eyre, during the Eyre.

II. *Stat. 5. E. 3. 11.* Justices assigned to hear and determine felonies

lonks shall direct their writs to all the Counties of *England*, where need shall be, to take persons indicted or outlawed for felonie.

III. Stat. 25. Stat. 5. 17. Processe shall be made in a Writ of debt and detinue of cattel, and taking of beasts by writ of *Capias*, and by processe of exigent by the Sheriffes return, as is used in a writ of accompt.

IV. Stat. 6. H. 6. 1. Upon Indictment of any person in the Kings Bench for treason, felony, or trespassse, a *Capias* shall be awarded against him as well to the Sheriffe of the County where he was so indicted, as of the County whereof he is named in the Indictment, returnable (at least) six weeks after, before any *exigent* shall be awarded: And if any *exigent* shall be awarded, or Outlawry pronounced before such return, they shall be void. This Ordinance shall endure as long as it shall please the King.

V. Stat. 8. H. 6. 10. Upon every such Indictment or appeal (before Justices of Peace, or other Commissioners) of any person dwelling in another County, then where the Indictment or appeal was taken, before any *Exigent* be awarded thereupon, after the first *Capias* returned another shall issue out against him to the Sheriffe of the County, where he is supposed (by the Indictment) to be most conversant, returnable three moneths after before the Justices or Commissioners, before whom he was so indicted or appealed, where the Counties are holden from moneth to moneth, but four moneths after, where they are holden from six weekes to six weeks.

VI. In this second *Capias* the Sheriffe shall be commanded to take him, if he be in his Bailiwick, but if he cannot finde him, then to make Proclamation at two severall Counties before the return thereof, that he appear at the return, at which time if he come not, an *Exigent* shall be awarded: And every *Exigent* awarded, or Outlawry pronounced otherwise shall be void.

VII. The Statute of 6. H. 6. 1. is confirmed; and an Action upon the case is maintainable, by the party wrongfully indicted or appealed against the procurer thereof; wherein he shall recover treble damages, and the process thereof shall be, as in trespassse, *vi & armis*.

VIII. This Act shall not extend to Indictments or appeals taken in the Connty of *Chester*.

IX. If the Indictee or Appellee happen to be conversant in the County where the Indictment is found at the time of the finding thereof, like processe shall be made against such persons, as heretofore hath been used.

X. Stat.

Stat. 10. H. 6. 6 The Statute of 8. H. 6. 10. is confirmed.

X I. When ſuch Indictments or Appeals, as are mentioned in the Statute of 8. H. 6. 10. are removed by *Certiorari* into the Kings Bench, like proceſſes and returns ſhall be iſſued and obſerved in that Court, as the Juſtices or Commiſſioners are ordered to iſſue and obſerve by the ſame Statute: And *Exigents* or Outlawries otherwiſe awarded or pronounced ſhall be void.

X II. **Stat. 19. H. 7. 9.** Like proceſs ſhall be hereafter had in Actions upon the caſe ſued in the Kings Bench or Common Place, as in actions of treſpaſs or debt.

X III. **Stat. 23. H. 8. 14.** Like proceſs ſhall be had in every Action hereafter to be brought upon the Statute of 5. R. 2. 7. (*which ſee in forcible Entry.*) as in treſpaſs, and like proceſs in every writ of annuity and covenant, as in debt.

X IV. **Stat. 8. El. 2.** When any perſon ſhall ſue forth of the Kings Bench any Latitat, *Alias* and *Pluries Capias* againſt any perſon, who thereupon doth appeare and put in bail, if the plaintiffe do not declare within three dayes after, or do after Declaration delay or diſcontinue his ſuit, or be non-ſuit, the Judges of that Court ſhall thereupon award damages againſt the plaintiff.

X V. The like ſhall be done in the Courts of the Maſhalſy, London, and all other Corporations, and liberties, where the Courts are kept *de die in diem*; but where they are not ſo kept, then the Plaintiff muſt declare at the next Court after appearance, unleſſe he have longer time allowed him by the Court.

X V I. If any ſhall maliciously (for vexation and trouble) cauſe or procure any perſon to be arreſted or attached to answer in any of the ſaid Courts at the ſuit of any perſon, whereas there is none ſuch, or without the conſent or agreement of the partie, at whoſe ſuit ſuch arreſt or attachment is procured, the partie ſo cauſing or procuring the ſame, and thereof convicted by indictment, preſentment, the teſtimony of two or more witneſſes, or other due proof, ſhall ſuffer ſix moneths Imprisonment without baile, and ſhall not be enlarged untill he hath ſatiſfied the partie grieved his treble damages, and beſides ſhall forfeit unto him (if he be known) 10 l. to be recovered (as alſo the ſaid treble damages (by action of debt, bill, or plaint in any Court againſt the partie ſo offending his executor or administrators, in which no eſſoine, &c. ſhall be allowed.

Prochein Amy.

I. *West.* 1. 47. 3. E. 1. If a chief Lord being Guardian make feoffment of the heires land, the heire shall forthwith recover it by Assise of *Novel disseisin* against his Guardian and the tenant, and the seisin shall be delivered by the Justices to the next friend to the heire (to whom the inheritance cannot descend) to improve it for the use of the heir, and to answer him for the issues at his full age, and the Guardian shall lose the Custodie of the thing recovered, and all the Inheritance that he holdeth by reason of the heire: but if the Guardian be a meane Lord, he shall lose the wardship of all, and be grievously punished by the King.

II. If the Infant be carried away or disturbed by the Guardian or his feoffee, or any other, so that he cannot sue his Assise, his *prochein amy* shall be admitted to do it for him.

III. *West.* 2. 15. 13. E. 1. If an Infant be cloined, so that he cannot sue personally, his *procheine amy* shall be admitted to sue for him.

Prohibition and Consultation.

I. *Stat. De circumspetè agatis*, 13. E. 1. For penance corporal or pecuniary enjoined for deadly sinne, as Fornication, Adultery, or the like, also for not fencing the Church-yard or not repairing the Church or sufficiently adorning it, a prohibition lyeth not: Nor for Oblations, Titles, Mortuaries, Pensions, laying violent hands upon a Clerke, Defamation (when money is not demanded) nor for breaking an Oath.

II. *Stat. De consultatione*, 24. E. 1. When the Chancellor or Chief Justice (upon sight of the libel) conceive that the Plaintiff cannot have remedie in any Temporal Court, the Plaintiff shall have consultation, *viz.* the said Chancellor or Chief Justice shall write to the Ecclesiastical Judges, before whom the cause depends, that they proceed therein, notwithstanding the Kings prohibition.

III. *Little. clert*, Cap. 1. 9. E. 2. For tithes, oblations, obventions or Mortuaries (when they are propounded under those names) the Kings prohibition shall not hold place, albeit for the long withholding of them they come to a pecuniarie estimation: but if an Ecclesiastical person lodge his tithes in his barne and then sell them for money, if that money be demanded before a spirituall Judge, for this a prohibition lyeth; for by the sale they are made temporall.

IV. *Cap. 2.* If debate arise upon the right of others (having his originall from the right of the Patronage) and the quantity of the same tithes do amount to a fourth part of the goods of the Church for this a prohibition lyeth: Also if a pecuniary penance be demanded in the Court Christian; a prohibition lyeth: but if a Prelate injoyne corporal penance, and the partie afterwards Cummates for money, that money is recoverable in the Court Christian, and in that case a prohibition lyeth not.

V. *Cap 3.* If any lay violent hands upon a Clerk, the amends for the peace broken shall be before the King, and for the excommunication before a Prelate and if corporal penance be enjoined, and the offender will redeeme it with money to be given to the Prelate or the parrie grieved, it shall be required before the Prelate, and the Kings prohibition lyeth not.

VI. *Cap. 4.* Also in defamations the Prelates may correct, notwithstanding the Kings prohibition.

VII. *Cap. 5.* No prohibition shall be granted, where tithes is demanded out of a Mill newly erected.

VIII. *Stat. 1. E. 3. Stat. 2. 11.* A prohibition is granted against those, who in the Spiritual Court do sue their indictors.

IX. *Stat. 18. E. 3. Stat. 3. 5.* No prohibition shall be awarded but where the King hath Consuance.

X. *Stat. 45. E. 3. 3.* A prohibition (and an attachment thereupon) shall be granted, where a suit is commenced in the Spirituall Court for the tithes of underwood above 20 years growth in the name of *sylvacdua*.

XI. *Stat. 50. E. 3. 4.* No prohibition shall be allowed after Consultation duely granted, so as the matter in the libel be not changed.

Prophecies.

I. *Stat. 5. El. 15.* None shall publish or set forth any phantasticall or false Prophecie, with an intent to raise sedition, in paine to forfeit for the first Offence 10 *li.* and to suffer one whole years imprisonment, and for the second all his goods, and to incurre Imprisonment during life, which said forfeitures are to be divided betwixt the Queen and the prosecutor.

II. Justices of Assise, Oyer and Terminer, and Peace, have power to hear and determine this Offence, being prosecuted within six moneths, otherwise not.

Protection.

Protection.

I. Stat. De Protectionibus, 33. E. 1. A challenge shall be entred against a Protection of the Kings service; and if the Countrey passe against him, that cast the protection, it shall turne to a default, if he be Tenant; and if he be demandant, he shall lose his writ, and shall also be amerced to the King.

II. Stat. 25. E. 3. Stat. 5. 19. Notwithstanding the Kings protection of his debtor, other Creditors may proceed to Judgement against him with a *Cessat executio* until the Kings debt be paid: And here, if the creditors will undertake for the Kings debt, they shall have execution against the debtor, both for their owne debts and likewise for so much as they have paid the King.

III. Stat. 1. R. 2. 8. No protection with the Clause of *Voluntatis* shall be allowed for victuals taken or brought upon the voyage or service, whereof the protection maketh mention, neither yet in pleas of trespass or contracts made after the date of the same protection.

IV. Stat. 13. R. 2. 16. No protection with the clause of *Quia profecturus* shall be allowed in any plea whereof the suit was commenced before the date of such protection: except in a voyage, where the King goeth in person, or other voyages royal, or in the Kings messages: Howbeit this Act shall not infringe protections with the clause of *Quia moratur*: and if the partie protected tarry more then a convenient time in the countrey without going to the service, or return from the service, the Chancellor having notice thereof shall repeal his protection.

V. Stat. 7. H. 4. 4. In an Action of Debt brought against the Gaolor, which letteth a prisoner escape, a protection shall not lie.

Proviso and præmunire

I. Stat. 25. E. 3. Stat. 5. 22. He that purchaseth a provision in Rome for an Abbey or Priory shall be out of the Kings Protection, and any man may do with him, as with the Kings Enemy. *But this is altered by 5. El. 1. which see in Crown.*

II. The Statute of Provisors. 25. E. 3. Stat. 6. made to prevent Collations of Benefices in England by the Pope to the Provisors, or procurers thereof as well Alians as Denizens; And here, the penalty was Imprisonment without Baile, untill he should make fine to the King and satisfaction to the party grieved, if he were taken;
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But if not, the *Exigent* should runne against him.

III. Stat. 27. E. 3. Stat. 2. 2. 3. A *Premunire* is granted against such as sue in a Forraigne Realme, or impeach there any Judgment given in any of the Kings Courts for any matter, whereof the Kings Courts may take conusance; The penaltie is to be out of the Kings Protection, to forfeit all their lands, and goods, and to be imprisoned, and ransomed at the Kings will, if they may be found, but if not, they shall be put in *Exigent* and outlawed.

IV. Stat. 3. R. 2. 3. None shall take a Benefice of an Alien, nor convey any money to him for the farm thereof, in paine of a *Premunire*.

V. Stat. 7. R. 2. 12. No Alien shall purchase a Benefice in this Realm, nor occupie the same without the Kings licence, in paine of a *Premunire*.

VII. Stat. 1. 2. R. 2. 15. If any go out of the Realm to procure (by way of Provision) a Benefice within the Realme, he shall be out of the Kings Protection, and the Benefice shall be void.

VI. Stat. 13. R. 2. Stat. 2. 3. A Confirmation of the Statute of Provisors, 25. E. 3. and if any accept of a Benefice contrary to the said Statute, he shall incurre a *Premunire*, and suffer perpetual banishment.

VIII. Stat. 16. R. 2. 5. None shall purchase Bulls or other Instruments from Rome or elsewhere, in paine to incurre a *Premunire*. The Crown of England is subject to none.

IX. Stat. 2. H. 4. 3. & 4. Religious persons purchasing Bulls from the Pope to be exempted from Obedience or Tithes, shall incurre a *Premunire*.

X. Stat. 7. H. 4. 8. No provision shall be made by the Pope, nor licence or pardon by the King touching any Benefice then full of an Incumbent.

XI. Stat. 3. H. 5. 4. All Provisions made by the Pope, and licences or pardons by the King touching any benefices full of an Incumbent shall be void, and the Provisors thereof shall incurre a *Premunire*.

Purprestures.

I. Stat. De Bigamis, 4. E. 1. Purprestures or Usurpations upon the King shall be rescised, and if any complaine of such rescisures, he shall be heard and have right done him.

Purveyors.

I. *Magna chart.* 21. 9. H. 3. No Sheriffe or Bailiff of the King or any other shall take any horses or carts of any man to make carriage, except he pay for carriage with two horses after the rate of 10d. a day and with three 14d. a day.

II. No demesne cart of any spirituall person, Lord, or Knight shall be taken for carriage by the Kings Bailiffes; Neither shall any wood be taken for the Kings use, without the owners licence.

III. *Stat. De Tallagio non concedendo, Tempore H. 3. vel. E. 1.* None of the Kings Ministers shall take any corne, hides or any other goods without the owners consent.

IV. *West.* 1. 31. 3. E. 1. Purveyors, who take any thing for the Kings use upon credit, shall immediately after they shall have received money of the King, satisfie the Creditor, in pain to have the same (together with damages) levied of their lands and goods, and also to make fine for the trespass: And if they have neither lands nor goods, they shall suffer Imprisonment at the Kings will.

V. None shall take more horses or carts for the Kings use, then need requires; Nor take reward to excuse any, in pain to be punished by the Marshals, if he be of the Court, and if not (being thereof attainted) to pay treble damages and to remaine in the Kings prison 40 dayes.

VI. *Artic. Sup. Chart.* 2. 18. E. 1. None but the Kings Purveyors shall take any prices, and they onely for the use of his house, paying or agreeing with the party for the same, if the prices taken be meate, drinke, or such other meane things.

VIII. Purveyors shall before they take any goods, shew their warrant to the owner, which warrant shall be under the great or petty Seale, declaring also their authority, and the goods, whereof they are to make purveyance; Neither shall they take any more, then need requires.

VIII. Purveyors shall not take any thing for such as are in wages, nor for any other; but shall make full answer in the Kings house and in the Wardrobe for all things taken by them, without making their larges elsewhere or liveries of such things, as they have taken for the King.

IX. A Purveyor (upon complaint made to the Steward or Treasurer of the Kings house) being attainted to have offended in the premises, shall forthwith agree with the partie grieved, be put out of the Kings service for ever, and remain in prison at the Kings pleasure,

X. If a Purveyor be attainted to have taken any thing without warrant, he shall be conveyed to the next Gaol, and suffer as a Felon, if the value of the goods do so require.

XI. Concerning Prices made in Faires, good Townes, and Ports for the Kings Great Wardrobe, the Purveyors shall have their common warrant under the Great Seal.

XII. This Act shall not diminish the Kings right to ancient prices due and accustomed, as of wines and other goods. *See this Statute confirmed by 18.E.2.2.4.E.3.4 and 25.E.3.1.*

XIII. Stat. 4.E.3.3. No purveyance shall be made, but only for the houses of the King, Queen, or their Children.

XIV. Purveyance made for those houses shall be taken by ordinary striked measure, and prized at the true value by the constable and other good men of the place according to their oath; and without threats or dures; for which expresse payment shall be made before the Kings departure out of that Vierge, *See this Statute confirmed, 10.E.3.1.*

XV. Stat. 5.E.3.2. Purveyances for the houses of the King, Queen, and their Children shall be made without menance by the Constables and four discreet men of the place, where they are to be taken, who shall also be thereto sworn; And Tallie of the goods so taken, shall be strook betwixt the Purveyors and the owners thereof, in the presence of those Constables and Prayers, under the seals of the said purveyors, according to which the owners shall be afterwards paid; And if a purveyor shall be attainted to have taken any thing otherwise then is limited by this Statute, he shall be imprisoned and suffer as a Felon, if the value of the goods require it: And in every warrant of purveyance, the form and penaltie of this Statute shall be inserted. *See 10.E.3.1. & 25.E.3.1. to the like effect.*

XVI. Stat. 14.E.3. Stat. 3.1. Spiritual persons goods shall not be taken by purveyors, nor their houses charged with horses, dogges, hawkes or the like, without their consent and good liking.

XVII. Stat. 14.E.3. 19. Stat. 1. The Kings purveyors shall take nothing without the owners consent, and shall pay for what they take before the Kings departure out of that Vierge; And if they attempt to do any thing against this Statute by Colour of their Commission, no man is bound to obey them.

XVIII. For the purveyance of Townes and Castles in Scotland and England, Merchants shall be appointed by the Treasurer without Commission; but none shall be compelled to sell any thing against their will.

XIX. The

XIX. The Sheriffe shall make purveyance for a certaine number of the Kings horses and dogges out of the issues of his Bailiwick.

XX. The Country shall not be charged with any more persons then are necessary to keep those horses, viz. for every horse a servant without bringing women, pages, or dogges with them.

XXI. Stat. 18. E. 3. 4. In commissions of Purveyance the fees of the Church shall be excepted.

XXII. Stat. 25. E. 3. Stat. 5. 6. No Purveyor shall take any timber growing about a mans house, in pain of one years imprisonment, and the losse of his office.

XXIII. Stat. 25. E. 3. Stat. 5. 15. No Purveyor shall take more sheep for the Kings house before Sheer-day, then shall be needfull, in pain to suffer as a felon, and this penalty shall be inferred in every commission of Purveyance.

XXIV. Stat. 28. E. 3. 12. When the value of the Purveyance exceeds not 20 s. present payment shall be made for it within one quarter of a year after upon a certain day, and at a place convenient for the party that is to receive it.

XXV. Stat. 34. E. 3. 2. No purveyance shall be hereafter made save only for the King, Queen, and Prince.

XXVI. Stat. 34. E. 3. 3. As concerning Purveyances for the Queen or Prince, present payment shall be made for Poultry, or other small things; but for other great purveyances within a moneth or six weeks.

XXVII. Stat. 36. E. 3. 2. From henceforth Purveyances shall be made for the King and Queens houses, and none other.

XXVIII. The odious name of Purveyor shall be changed and termed Buyer.

XXIX. If the buyer and seller cannot agree, the goods shall be appraised by the Lords or Bailiffs, Constables, and four men, by Indenture between the buyer and them, containing the quantity of the takings, the price, and of what persons bought, which takings shall be made without dures or compulsion, in places of plenty, and in a convenient time.

XXX. Purveyors shall be men of sufficiency, and shall make no Deputies; their Commission shall be renewed every half year under the Great Seal; which none is bound to obey, unless they pay ready money, as well for things bought, as also for carriages.

XXXI. Purveyance of grain or malt shall be made by stricked measure, according to the Standard, and no more carriages shall be used for it then shall be needful.

XXXII. If any Purveyor or Buyer offend against this Statute, he shall suffer punishment of life and member, *See this Statute confirmed*, 23. H. 6. 1.

XXXIII. Stat. 36. E. 3. 3. No buyer shall spare any from carriages, nor charge any for hatred or ill will, in pain to yield to the party grieved treble damages, suffer two years imprisonment to be ransomed at the Kings will, and to abjure the Court, and if the party grieved will not sue in this case, any other that will shall have the third peny of what shall be recovered.

XXXIV. Stat. 36. E. 3. 4. Commissions shall be awarded to inquire of the behaviour and Acts of such Buyers, and if it shall be found by the Countrey, that they have taken more then they have delivered in, or have not paid for what they have taken, they shall have pain of life and member.

XXXV. Stat. 36. E. 3. 5. None shall keepe more houses of the Kings, than shall be committed to him.

XXXVI. None of the King or Queens houses shall make any Purveyor, but shall buy provision, as others do, of such as are willing to sell.

XXXVII. Stat. 36. E. 3. 6. It is Felonie for any subjects servant to take any thing by way of Purveyance without the owners notice.

XXXVIII. Stat. 1. R. 2. 5. Prelates shall have their actions of trespass against Purveyors offending, and shall also recover treble damages.

XXXIX. Stat. 7. R. 2. 8. No subjects Cator shall take any viſtual or carriage without the owners consent and present payment in paine to incurre the penalties comprised in the Statutes of Purveyors.

XL. Stat. 2. H. 4. 14. When the value of the thing taken exceeds not 40 s. the Purveyor shall make present payment for it in pain to lose his Office, and also to pay as much to the partie grieved.

XLI. Stat. 1. H. 6. 2. The Statutes of purveyors shall be proclaimed quarterly by every Sheriff throughout his Bailiwick, in pain to forfeit 5 li. for every time he makes default.

XLII. Stat. 20. H. 6. 8. A Purveyor that takes goods, whose value exceeds not 10 s. and payes not present money for them, may lawfully be resisted; And here the Constable, Headborough or other Officer shall (upon request) assist the owner, in paine to yield unto the said owner, the value of the goods taken, and double damages.

XLIII. No. 10

XLIII. None of the Kings Officers shall arrest or trouble any of the Kings Subjects for any such resistance, in pain of 20 *li.* to be divided betwixt the King and the prosecutor.

XLIV. Justices of Peace have power to heare and determine the offences committed against this Act, and upon conviction of the defendant to award damages to the Plaintiff.

XLV. In every Purveyors Commission this Act shall be inserted, and shall also be sent to the Sheriffs of every County to be proclaimed amongst other Statutes of Purveyors according to the Statute of 1. H. 6. 2.

XLVI. Stat. 23. H. 6. 1. 2. Every Purveyor before he receive his Commission shall be sworn in the Chancery to take nothing of subjects contrary to the Statute of 36. E. 3. 2. 3.

XLVII. The partie grieved by taking, which upon request was not assisted by the prayser, Towne, or Towns adjoyning, may bring his Action of Debt against the Towne, or the Purveyor, which he likes best, and shall recover the treble value of his goods, so taken away, together with his Costs and treble damages; And None of the Kings Officers shall trouble any of the Kings Subjects for the execution of this Act, in pain to forfeit 20 *li.* to the partie grieved, besides his Costs and damages, for which he may have a writ of Debt, in which Action no wager of Law, Assoin. Aide of the King or protection shall be allowed; And the Debt, damages and executions recovered against a Purveyor in the case (if he hath not whereof to pay them) shall be satisfied by the Serjeant of the Catery, unto whom a *Scire facias* shall be directed for that purpose,

XLVIII. These Statutes shall be sent to the Justices of Peace in every County, to the end they may be yearly proclaimed.

XLIX. Stat. 23. H. 6. 14. All Majors, Bailiffs, Constables and other Officers shall (upon request made) arrest and imprison without baile all Purveyors (except onely the Kings or Queenes) which take any goods or carriages from any of the Kings Subjects, in pain to forfeit 20 *li.* to be divided betwixt the King and the partie grieved, in case he will sue for it; but if not, then betwixt the King and the prosecutor; And the partie offending being duly convicted thereof, shall yield to the Party grieved the treble value of the goods so taken, and double Costs, and besides shall fine to the King for the trespass committed.

L. Here no wager of Law or the Kings protection shall be allowed to the defendant.

LI. This Act shall not restrain the punishment ordained against the Kings Purveyors.

LII. Stat. 28. H. 6. 2. No person keeping an Hostry, Brew-house or victualling, shall be a Purveyor, and all letters patents of Purveyance, granted to such shall be void.

LIII. No Purveyor shall take any horse or cart, but by the consent of the owner or deliverie of the Major, Sheriff, Bailiffs, or Constable, in pain to be subject to an Action of trespassse, wherein the party grieved shall recover treble damages,

LIV. Stat. 2. 3. P. M. 6. No Commission of Purveyance shall continue in force above six moneths,

LV. In every such commission shall be inserted the proportion and number of things to be taken; as also the County or Counties where such purveyance is to be made.

LVI. To every Commission shall be annexed blanks in Parchment according to the number of the Counties into which it extends, and in every such blanke shall be faire written the proportion and number of the commodities there to be taken, which shall also be subscribed by the high Constables, Constables, or other Officers, which shall be privy to the delivery of the said goods,

LVII. The purveyor shall make writings or Dockets of all things by him taken, and subscribing his name thereunto, shall deliver them to the Constables, Headboroughs, or other officers of the places, where he takes the same things, in paine for every such default suffer one yeares imprisonment, and to forfeit 100 marks, to be divided betwixt the King and the prosecutor; which said Dockets shall be by the said Officers delivered over to the Justices of Peace at their next general sessions, and by them certified to the Lord Steward, Treasurer, or Comptroler of the King and Queens, houses, if such purveyance were for the house; but if for the Navie then to the Treasnrer, or Comptroler of the Navie, and all this to the end a true answer of the purveyors commission may fully appeare.

LVIII. This Statute shall not give libertie to purveyors, or their Deputies to execute their Office otherwise, then is provided and expressed in other Statutes heretofore made, upon the pains and penalties in the same former Statutes contained.

LIX. Statutes made and provided for Purveyors, or Takers, shall also extend to their under takers, deputies, and servants.

LX. All Commissions of purveyance shall be written in English

Queen.

1. Stat. 1. **A**LL Regal power of this Realm, and all dignities and preheminencies thereunto belonging, shall be as well in a Queen, as in a King.

Quod permittat.

I. West. 2. 24. 13. E. 1. In like manner as a Parson of a Church may recover Common of pasture by a writ of *Novel disseisin*, so his successor shall have a *Quod permittat* against the disseisor or his heir, though there was never such a writ granted out of the Chancery before.

Rape.

1. West. 1. **N**One shall ravish or take away by force any maid 13. 3. E. 1. within age (neither by or without her consent) nor any wife or maid of full age, nor any other woman against her will.

II. Here any person may sue within 40 days; but if not then the King shall have the suit, and such as be found culpable shall suffer two years imprisonment and make fine at the Kings will; and if they have not whereof, they shall be punished by longer imprisonment, as the trespass requireth.

III. West. 2. 34. 13. E. 1. If a man ravish a woman, married, maid, or other, where she did not consent neither before nor after, he shall have judgement of life and member.

IV. Where a man ravisheth a woman, married, Lady, Damsel, or other, albeit she consent after, yet he being attainted the King shall have like judgement, as before; and here the King shall have the suit.

V. Of women carried away with the goods of their husbands, the King shall have the suit for the goods so taken away.

VI. If a woman willingly leave her husband and go away, and

and continue with her Advowterer, she shall be barred for ever of action to demand her dower, unless her husband willingly (and without coercion of the Church) reconcile her, and suffer her to dwell with him.

VII. None shall carry away a Nun from her house (albeit she consent) in pain to suffer three yeares imprisonment, and to make satisfaction to the house, and fine to the King.

VIII. Stat. 6.R.2.6. Both the Ravisher and Ravished (where she consents after the fact) are disabled to have or challenge any inheritance, dower, or joynt estate after the death of their husband or Ancestor.

IX. In an appeal of Rape, the husband, father, or next of the blood shall have the suit, and the defendant shall not be received to wage battel.

Reasonable Aide.

I. *Test. 1.35.E.1. & 25.E.3. Stat. 5.11.* Reasonable Aide to make the Kings eldest son a Knight, and to marry his eldest daughter, shall be for a Knights fee holden of the King without mean, 20 s. and every 20 l. land in soccage shall pay as much, and so more or less, according to that rate; And it shall be levied, at 15 years age of the son, and 7 yeares of the daughter: Here, if the father levie it and die and before the marriage of the daughter, the fathers executors shall be charged therewith, and if they have not assets, the heir shall be therewith charged.

Receivers.

I. Stat. 34. H. 8. 2. All Collectors of fifteens and subsidie, or other tax or loane, and all particular and general Receivers of the Kings revenues shall within three moneths after the same are due, and by them received, truly pay them into the Kings use, in pain to lose their offices, and also to forfeit 4 s. for every pound so received and not paid in, as aforesaid, to be recovered by bill, plaint, or action of debt at the Kings suit: Howbeit lawful tender thereof within the said time shall excuse the said penalties, albeit they be not then received by the proper officer, by reason of other occasions.

II. Provided, that the heir of any such Collector or Receiver shall not be charged (by reason of this Act) but onely in lands, which descend in fee-simple or fee-tail, or which have been conveyed

ed unto him by collusion from such Collector or Receiver; neither shall their executors or administrators be otherwise charged for the same, then as they are chargeable by the Common Law in action of debt commenced against them, as executors or administrators,

III. The heir being charged shall have remedy against the executors or administrators of his father or ancestor, and shall have execution of such goods and chattels, as remain in their hands at the time of the Action brought.

IV. This Act shall not extend to the Collectors of the Customs, or of Tunnage and Poundage: nor to restrain the payment of pensions, fees, annuities, rents, or other allowances to be paid by the said Receivers, according to the several allowances thereof.

V. Stat. 7.E.6.1. Every Treasurer, general and particular Receiver, Bailiffe, and Minister accomptant to the King shall before his entry upon the Office be bound with surety or sureties for his true accompt and payment, in pain to lose his office.

VI. Every such Receiver, his Deputy or deputies shall yearly make precepts to the several Collectors, Ministers, and Bailiffs accomptant within the Circuit of his office, charging them thereby personally to appeare before him, or by their Deputy or Deputies (for whom they will answer) within the Countrey where such offices do lie, at a certain day and place in the said precept to be limited, to pay in such moneys as shall be due (within their Collections) to the King at or before *Easter*, which precept shall be delivered unto them, or left at their houses, or the places where their Collections are, twelve dayes (at least) before the day of apparence.

VII. Here if the accomptant make default of apparence, and be thereof duely convicted in the Court, where the revenue is, he shall forfeit for the first offence his whole fee for that year, or the value thereof; and for non-payment of the money then due shall lose for the first offence 6*d.* in the pound for every moneth after the said day of apparence, until it be paid in unto the Receiver.

VIII. Like precepts are to be sent unto the said accomptants by the Auditor for apparence at the Audit at a certain day after *Michaelmas*, and for accompting there before him for moneys due at or before that Feast, upon the like penalties (for the first offence) as before, if they appeare not, or refuse to accompe; they are then also to pay in to the Receiver all moneys found due by the Auditor upon their accompts.

IX. For the second default of apparence at the Audit, they shall lose their offices; and for the second offence of not paying in the mo-

moneys due at or before *Michaelmas*, they shall forfeit 12 d. for every moneth, until they be paid.

X. The Receivers shall yearly pay in all moneys due at or before *Easter* (which they know to be due and can by any lawfull meanes receive) by the 20 of *June* at farthest, at those due at or before *Michaelmas*, by the 20 of *January*, in paine to forfeit 2 d. in the pound for every day that they so make default of payment.

XI. Every Receiver shall yearly enter into his accompt in *Hilary Term*, finish it before the 10 of *March*, and pay in all the moneys due upon his accompt before the 20 of *March*, in pain to forfeit 4 d. in the pound for every day, that he with-holds the same longer.

XII. Every Receiver, Collector, and Bailiff hath power to distress for arrears, and to order the said distresses in like sort, as any officer of the *Exchequer* for non-payment of the Kings rents and revenues have lawfully used to doe, delivering to the party distrained the overplus of the value of every such distress, the Kings debts being first paid, and the distrainant answered his reasonable costs.

XIII. The Kings Chief officers of the Kings Courts of Revenue (being of Record) have power to set fines and amerciaments upon Sheriffs for not returning, or misreturning of writs issued out for the levying of the Kings debts or revenues.

XIV. All Treasurers, Chamberlains, general Receivers and Customers shall upon 10 dayes notice, (from the King or six of the Privie Council) render an accompt what moneys are in their hands, and shall make readie payment thereof, in pain to lose their places.

XV. The said Treasurers, Chamberlains, and general Receivers, or their deputies shall yearly before the 20 of *June* make a perfect accompt of all such moneys as came to their hands before the twentieth of *March* next before, and shall make a perfect and whole declaration in writing, of the money remaining in their hands (to the King or his Council) yearly before the last of *June*, and shall make payment thereof, as they shall be afterwards commanded by sufficient warrant, in pain to forfeit their offices.

XVI. No Treasurer, Receiver, or Minister accomptant, or their deputies shall receive for the payment or any fees, Annuities, Pensions, Duties or Warrants, more or otherwise then they lawfully may by former lawes, and Statutes in that behalfe provided, in paine to forfeit for every penny or penny-worth otherwise taken 6 s. 8 d. to the party grieved, to be recovered by Bill, Plaint, or action of debt.

XVII. The

XVII. The Auditor, that refuseth or delayeth to take an accompt, so that the accomptant cannot passe his accompt within the time above limited, shall forfeit as much as the accomptant should have forfeited, and the Accomptant shall be discharged thereof.

XVIII. The Auditor or his deputy shall in convenient time (upon the request and at the costs of the Accomptant) deliver unto the Accomptant a duplicate or copie of his accompt under his or their hand, in paine to forfeit 10*l.* to the King.

XIX. This Act shall not extend to Archbishops or Bishops concerning their accompts or payment of tenths; nor to any Sheriffe, Escheator, or Collector of *Dismes*, *Quindismes*, Benevolencies, contributions, or Subsidies, the Subsidies of Tonnage, and Poundage onely excepted.

Recognisance and Statute-Merchant.

I. *Acton Buanel*. 11. E. 1. The Merchant, that will be sure of his debt shall cause his debtor to come before the Major of *London*, *Tork*, or *Bristol*, or before the Major and Clerke (which the King will appoint) to acknowledge the debt and the day of payment, which recognisance shall be entred into a Roll with the hand of the said Clerke.

II. The Clerke shall make with his own hand a bill obligatorie whereunto the seal of the debtor shall be put together within the Kings Seal, to be appointed for that purpose, which Seal shall remaine in the keeping of the said Major and Clerke.

III. If the debtor faile at the day, upon notice thereof to the Major and Clerke, they shall cause his Chattels, and divisable Burgages to be sold, as farre as the debt doth amount, by appraisment of honest men, and the mouey without delay shall be paid to the Creditor, and in case they cannot sell them they shall cause so much of the movables to be delivered unto him as amount the debt, and the Kings Seal shall be put unto the sale and deliverance of the Burgages.

IV. If the debtor have no movables within the Majors Jurisdiction, then shall the Major send the Recognisance unto the Chancellor under the Kings seal, and the Chancellor shall thereupon direct a writ to the Sheriffe, in whose Bailiwick the moveables of the debtor be, who shall proceed therein, as the Major might have done, if the said moveables had been in his power.

V. If the appraisors set too high a value upon the things, that are

are to be sold, they shall be compellable to take them at the same price, and shall forthwith be answerable to the Creditor for his debt: And albeit the moveable goods are sold for lesse then they are worth, yet, is the debtor without remedy; and it shall be imputed to his owne folly, that he would not sell them himself, when he might.

V I. If the debtor have no moveables, whereupon the debt may be levied, he shall be imprisoned, and there remain untill he agree with the Creditor, and if he be in want, the Creditor shall finde him bread and water, which the prisoner shall also satisfie before he be enlarged; a merchant-stranger shall also be satisfied for his stay about the said businesse.

V I I. If the debtor have sureties, they shall be bound and proceeded against in like form, as is before declared against the debtor; Howbeit so long as the debt may be levied of the goods moveable of the debtor, his pledges or main-pernors shall be without damage.

V I I I. *Stat. de Mercatoribus, 13.E.1.* The Merchant shall cause his debtor to come before the Major of London, or before some chief Warden of a Citey, or other good Town, where the King shall appoint, and before the Major or chief Warden or other discret men chosen and sworn thereto, when the Major or chief Warden cannot attend, and before one of the Clerkes, that the King shall thereto assign when both cannot attend, and to acknowledge the debt and day of payment, which recognisance shall be enrolled by one of the said Clerks hands, being known, and the Roll shall be double; whereof one part shall remain with the Major or chief Warden, and the other with the said Clerks.

I X. Then one of the Clerks shall write an Obligation, whereunto the Seal of the debtor shall be put together with the Kings seal provided for purpose, which seal shall have two pieces, whereof one part shall remain with the Major or chief Warden and the other with the aforesaid Clerks.

X. If the debt be not paid at the day, upon the Merchants account, the Major or Chief Warden shall cause the debtor to be imprisoned (if he be lay and in their power,) there to remain at his owne costs, untill he have agreed the debt; And the Keeper of the prison there shall receive him, in paine to answer the debt himselfe, or (if he be not able) he that committed the prison to his keeping.

X I. If the debtor cannot be found by the Major or Chief Warden, they shall send the recognisance under the Kings seal into the Chancery, from whence shall issue a writ to the Sheriff of the County, where the debtor is, to take his body (if he be lay) and

safely to keep him in prison, untill he agree the debt; And within a quarter of a yeare after he is so taken his goods and lands shall be delivered unto him, to the end he may pay the debt, within which time his sale of his lands shall be good.

XII. If he do not satisfie the debt within that quarter, all his Lands and goods shall be delivered to the Merchant, by a reasonable extent, to hold them, untill the debt be wholly levied; nevertheless his body shall still remaine in prison, and the Merchant shall finde him bread and water.

XIII. The Merchant or his assignes shall have such seisin in the said Lands, that he may maintaine a writ of *Novel dissein*, if he be put out, and a *redisseisin* also as of freehold to him and his assignes untill the debt be paid, but when the debt is levied, the body of the debtor shall be delivered together with his lands.

XIV. In the writs awarded by the Chancellor the Sheriffe shall be directed to certifie the Justices of one of the Benches at a certain day, how he hath performed the service, and then the Merchant shall sue before the said Justices if they be not satisfied.

XV. If the Sheriffe make no returne of the Writ, or returne a *tard* or that he hath directed to the Bailiffe of some franchise, the Justices shall proceed according to the Statute of *Westminster 2. Cap. 39.* which see in returne of Sheriffs and Bailiffs.

XVI. If the Sheriff returne a *non est inventus*, or that he is a Clerke, the Merchant shall have Writs to all the Sheriffs, where he hath any land, that they shall deliver him all the goods and lands of the debtor, by a reasonable extent to hold to him and his assignes in forme aforesaid; nevertheless he may also have a Writ to what Sheriffe he will, to take his body (if he be lay) and to detain him in manner aforesaid, and then the keeper must answer the body or the debt; but yet the debtor may sell the lands so the Merchant be not dammified by the appraisement.

XVII. Here, the Merchants shall be always allowed their damages, and all necessary and reasonable costs for their labours, suits, delays, and expences.

XVIII. If the debtor have sureties, the like course shall be taken against them, as is above limited to be taken against the principal debtor.

XIX. All the lands in the hands of the debtor at the time of the recognisance acknowledged are chargeable, in whose hands soever they come afterwards; but after the debt satisfied they shall returne to the grantees, as also the rest to the debtor.

XX. If the debtor or his sureties die, the Merchant shall not take

the body of his heire, but shall have his lands, as aforesaid, if he be of age, or at his full age, untill he hath levied his debt.

XXI. There shall be also another seal provided, that shall serve for faires, and shall be sent to every faire under the Kings seal by a Clerk sworn, or by a keeper of the fair.

XXII. Of the communalty of London there shall be two merchants chosen, and sworn, and the seal shall be opened before them, whereof one piece shall be delivered to the said merchants, and the other shall remaine with the Clerk.

XXIII. Before these merchants or one of them the Recognisances shall be taken, and before they be enrolled, the pain of the Statute shall be openly read before the debtor, that he may not afterwards excuse himself by ignorance of the said paine.

XXIV. For the Clerks maintenance, the King shall take a peny for every pound, where the seal is, except in fairs, and there peny halfe peny.

XXV. This Act shall be from henceforth observed throughout England and Ireland, between any that will make recognisances, except Jews, to whom it doth not extend.

XXVI. By this Statute the writ of debt shall not be abated, neither shall the Chancellor, Just. of either Bench, or Justices Errants be hereby estopped to take recognisances of debts before them acknowledged, & to issue execution thereupon, as hath heretofore bin used.

XXVII. *Breve fundatum super Statutum predictum.*

Rex Vic. salutem. Quia coram tali Majore vel Custode talis ville, vel coram Custode sigilli nostri de Mercatoribus in nundinis detali loco, & tali clerico nostro A. Recognovit debere B. tantum, quod solvisse debuit tali die & tali anno, quod idem B. Nondum solvit ut dicit: Tibi precipimus, quod corpus predicti A. (silaicus sit) capias, & in prisona nostra salvo custodiri facias, quosque de predicto debito satisfeceris; & qualiter hoc preceptum nostrum fueris executus, scire facias. Justitiariis nostris apud westm. per literas tuas sigillatas, & habeas ibi hoc breve. Teste, &c.

XXVIII. Stat. 14. E. 3. 11. The Clerk of the Statute, shall be resident upon his office, and shall have lands sufficient in the same County, whereof he may answer to all persons if he offend.

XXIX. Stat. 8. R. 2. 4. No Judge or Clerk shall make any false entry of Pleas, rase any Roll, or change any verdict, in paine to be punished by fine and ransome at the Kings will.

XXX. Stat. 5. H. 4. 12. When a Statute-merchant hath been certified into the Chancery, and thereupon a writ awarded to the Sheriffe, and returned into the Common Place, and the Statute there
once

once shewed, albeit the processe thereof be after that discontinued, yet the party shall have the process re-continued, and shall also have re-execution upon the same Statute without shewing it again to the Court.

XXXI. Stat. 11. H. 6. 10. He that sueth for a *scire facias* in Chancery to defeat an execution upon a Statute-staple, shall finde surety both to the King and the Recognisee to prosecute his suit with effect, &c.

XXXII. Stat. 23. H. 8. 6. The Chief Justices of the Kings Bench and Common Place, or either of them, or (in their absence out of the Terme) the Major of the Staple at *Westminster*, and the Recorder of *London*, jointly together shall have power to take Recognisances for the payment of debts, in this form following.

XXXIII. *Noverint universi per present nos A.B. & D.C. tenere & firmiter obligari Johanni at Style in Cent. lib. Sterling, solvendis eidem Johanni aut suo cent. Atonat. hoc script. ostend. hered. vel. execut. suis intal. fest. &c. proxim futur. post dat. present. & si defecero vel defecerimus in solutione debit. predict. Volo & conced. vel sic, Volumus & concedimus quod tunc currat super me hered. & execut. meos, vel, Super nos & quolibet nostrum hered. & execut. nostros parain statua Stapule de debit. pro Merchandisis in ead. emptis recuperand. ordinat. & provis. dat. talidie, Anno Regni Regis, &c.*

XXXIV. Such obligation shall be sealed with the seal of the Recognisor or Recognisors, as also with such a seal as the King shall appoint for that purpose, and with the seal of one of the Chief Justices, or the seals of the said Major of the Staple and Recorder and every of the said Justices, and the said Major and Recorder, shall have the custodie of one such seal to be appointed by the King as aforesaid.

XXXV. The Clerk of the Recognisances (to be also appointed by the King) or his sufficient Deputy or Deputies shall write and enrol such obligations in two several Rolls indented, whereof one shall remain with such of the said Justices, or with the said Major and Recorder that take such recognisance, and the other with the writer thereof: Also such Clerk or his Deputy or Deputies shall be dwelling or abiding in *London*, and shall not be absent from thence by the space of two dayes, in pain to forfeit 10 l.

XXXVI. The Clerk or his Deputy (at the request of the Creditors, their executors or administrators) shall certify such obligations into the Chancery under his or their seal.

XXXVII. The Recognisees of such obligations, their executors and administrators shall have in every point, degree and condition

tion against the Recognisers, their heirs executors and administrators such proceſſe, execution, commodity, and advantage, as hath been had upon an obligation of the Statute of the Staple, and ſhall alſo pay like fees for the ſame.

XXXVIII. Here the Recogniſor ſo bounden or otherwiſe grieved by ſuch an Obligation, ſhall have like remedy by *Audita querela*, and all other remedies in the law, as upon Obligations of the Statute of the Staple.

XXXIX. Upon the ſealing of the proceſſe for the execution of every ſuch Obligation, the King ſhall have an half-peny in the pound.

XL. The tenant by ſuch a Recogniſance, his executors or administrators being outed, ſhall have like remedy, as upon an Obligation of the Statute of the Staple.

XLI. The Juſtices, or the Major and Recorders fee for taking ſuch a Recogniſance is 3 s. 4 d. and the Clerks fee is as much, and his fee for certifying ſuch an Obligation is 20 d. And none of them ſhall take more, in pain of 40 l.

XLII. From henceforth the Major or Conſtable of the Staple ſhall take no Recogniſances of the Statute of the Staple, in pain of 40 l. except between Merchants being free of the ſame Staple, for Merchandize of the ſaid Staple between them lawfully bought and ſold.

XLIII. The forfeitures above-ſaid are to be divided betwixt the King and the proſecutor, and recovered by Information, action of debt, bill, or plaint, in which no eſſoine, &c. ſhall be allowed.

Records.

I. Stat. 9. E. 3. 5. Juſtices of Aſſize, Gaol-delivery, and Oyer and Terminer ſhall yearly at *Michaelmas* ſend all their Records and proceſſes (determined and put in execution) into the Exchequer, which the Treasuſer and Chamberlains there ſhall receive under their ſeals, and keep them in the Treasuſry: Howbeit the ſaid Juſtices ſhall firſt take out the Eſtreats of the ſaid Records and proceſſes, to ſend them to the Exchequer, as they were wont to do.

Recoveries.

I. Stat. 7. H. 8. 4. Recoverers of Mannors, Lands, Tenements, and

and Advowsons, their heires and assignes may distrein for Rents, Services and Customes due and unpaid, and make avowry, and justifie the same, and have like remedy for recovering them, as the Recoverees might have done or had, albeit the said Recoverers were never seised thereof: And shall also have a *Quare impedit*, for an Advowson, if (upon a Voydance) any disturbance be made by a stranger, as the Recoverers might have had, albeit they were never seised thereof by presentation

II. Here, every Avowant or Bailiff in any *Replegiari*, or second Deliverance, if their Avowry, Conusance, or Justification be found for them, or the plaintiffe be otherwise barred, shall recover his damages and costs.

III. Stat. 21.H.8.15. A termor for years may falsifie a feigned recovery had against them in the Reversion, and shall retain and enjoy his term against the Recoverer, his heirs and assignes according to his lease.

IV. Also the Recoverer shall have like remedy against the termor, his executors or assignes by Avowry, or action of debt for rents and services reserved upon such lease, and due after such recovery, and also like action for waste done after such recovery, as the lessor might have had, if such recovery had never been.

V. No Statute of the Staple, Statute-merchant, or execution by *Elegit* shall be avoided by such feigned recovery, but such tenants shall also have like remedy to falsifie such recoveries, as is here provided for the Lessee for years.

VI. Stat. 34,35.H.8.20. No feigned recovery hereafter to be had by assent of parties against any tenant or tenants in tail of any lands, tenements, or hereditaments, whereof the reversion or remainder, at the time of such recovery had, shall be in the King, shall binde or conclude the heirs in tail, whether any condition or *Voucher* be had in any such feigned recovery or not, but that after the death of every such tenant in tail, against whom such recovery shall be had, the heirs in tail may enter, hold, and enjoy the lands, tenements, and hereditaments so recovered, according to the form of the gift in tail, the said recovery notwithstanding.

VII. And here the heirs of every such Tenant in tail, against whom any such recovery shall be had, shall take no advantage for any recompence in value against the *Voucher* or his heirs.

VIII. This Act shall not extend to prejudice the lessee or lessees of any such tenant in tail, made in writing indented of any Mannors, Lands, &c. for 21 years or three lives, or under, whereupon the accustomed rent or rents is or shall be yearly reserved during

the some terms or Terms: but the same lessee or lessees shall enjoy his or their term or terms according to the Statute of 32. H. 8. 28. (*which see in Leases*) this Act notwithstanding.

I X. Stat. 14. El. 8. All recoveries had or prosecuted (by agreement of the parties or by coyn) against tenants by the curtesie, tenants in tail after possibillity of issue extinct, for terme of life or lives, or of estates determinable upon life or lives, or of any lands, tenements, or hereditament, whereof such particular tenant is so seised, or against any other with *Voucher* over of any such particular tenant or of any having right or title to any such particular estate, shall from henceforth (as against the reversioners, or them in remainder, and against their heirs and successours) be cleerly void.

X. This Act shall not prejudice any person, that shall by good title recover any lands, &c. without fraud, by reason of any former right or title: Also every such recovery had by the assent and agreement of the person in reversion or remainder, appearing of record in any of the Queens Courts, shall be good against the party so assenting.

Redisseisin.

I. Merton. 3. 20. H. 3. If any be disseised of their free-hold, and before the Justices in Eyre hath recovered seisin by Assise of *Novel disseisin*, or by confession of the disseisors, and hath had seisin delivered by the Sheriffe, if afterwards the same disseisors disseise the Plaintiffe of the same free-hold, and be thereof convicted, they shall be imprisoned, untill the King hath discharged them by redemption; recognicion of Assise, Judgement, or some other way.

I I. This is the form of punishing such convicted persons: The Plaintiffe shall procure a Writ from the Kings Court, directed to the Sheriffe, and containing the plaint of disseisin done upon disseisin: By this Writ the Sheriffe shall be commanded, that he, taking with him the keepers of the Pleas of the Crown and other lawfull Knights, shall in proper person, go to the land or pasture, whereof the plaint was made, where if they finde him disseised again, the Sheriffe is to do, as is above provided, but if not, the plaintiffe shall be ameried, and the other shall go quit: Howbeit, the Sheriffe shall not execute any such plaint without the Kings speciall command.

I I I. There is the like Law for such as recover their seisin by Assise

Assise of Mortdancester, or by Enquests, if they be redisseised by the first disseisors.

IV. *Parlb.* 8. 52. H. 3. Persons imprisoned for *Redisseisin* shall not be delivered without the Kings speciall command, and shall make fine to the King for their trespass: And if the Sheriff deliver any contrary to this ordinance, he shall be grievously amerced, and yet the persons so delivered shall be also grievously punished for their trespass.

V. *Westm.* 2. 26. 13. E. 1. In Writs of *Redisseisin* double damages shall be awarded, and the Redisseisors shall not be repleviable by the common Writ.

VI. Those that recover by default, redition, or otherwise without recognition of Assises or Juries, shall have Writs of *Redisseisin*, as well those which recover by Assise of *Novel Disseisin*, *Mortdancester*, or other Juries, provided for by the Stat. of *Merton* 20.

Relief.

I. *Magna Charta* 2. When Lands holden of the King in chief by Knight-service, descend to an heir of full age, The reliefs are as followeth, For an Earldome 100 li. For a Baronie 100 Marks. For one whole Knights fee 100 s. And he that hath less shall give less, according to the old custome of the fees.

Rents.

I. *Stat.* 32. H. 8. 37. The Executors or Administrators of tenants in Fee-simple, in Fee-tail, or for terme of life, of rent-services, rent-charges, rents-sects and fee-farms, unto whom any such rent or fee-farm, was due and unpaid at the time of his death, shall have an action of debt for all the arrerages thereof against the tenant or tenants, that ought to have paid them to their testator, or against the Executors or Administrators of such tenant or tenants; and shall also distrain for the said arrerages upon the Lands chargeable therewith, so long as they continue in the seisin or possession of such tenant in demesne, or of any other person claiming by or from him, in like manner as their testator might have done: And the said executors or administrators shall likewise for the same distresse lawfully make a wry upon the matter aforesaid.

II. This Act shall not extend to any Manner, Lordship, or Dominion in *Wales* or the Marches thereof, where the Inhabitants have used time out of minde, to pay to every Lord or Owner of such

such Mannors, &c. at their first entry into the same, any sum or sums of money for the discharge of all duties, forfeitures and penalties wherewith the said inhabitants were chargeable to any of their said Lords, Ancestors or predecessors before their such entry.

III. If any person hath in right of his wife any estate in Fee-simple, fee-tail, or for term of life, in any such rents or Fee-farms, and the same happen to be due and unpaid in his wifes life, such husband after the death of his wife, his Executors and Administrators shall have an action of Debt for the said arrearages, against the tenant of the demesne, that ought to have paid the same, his Executors or Administrators, and shall likewise distrain for the same and make avowry, as he might have done, if his wife were living: The like power hath tenant *per auter vie* for arrearages due and unpaid in the life-time of *Chesty que vie*.

Repleader.

I. Stat 32. H. 8. 30. In all actions after issue had there shall be judgement given, notwithstanding any mispleading, lack of colour, insufficient pleading, or *Jeofaile*, Miscontinuance, Discontinuance, mis-conveying of Procelle, mis-joyning of issue, lack of warrant of Attourney of the party against whom the issue shall be tried, or any other default or negligence of any of the parties, their Counsellors or Attourneys.

II. Provided, that every Attourney shall deliver or cause to be delivered, his or their sufficient and lawfull Warrant of Attourney, to be entred of record for every action or suit, wherein he is named Attourney to the Officer or his deputy, ordained for the receipt and entring thereof, in the same term, when the issue of the said action is entred of record, or before, in pain to forfeit 10*l.* to the King, and to suffer Imprisonment at the discretion of the Justices of the Court, where such action depends.

Replevin of Cattel.

I. Stat 21. 52. H. 3. If Beasts be taken and wrongfully withholden, the Sheriffe, (upon complaint thereof) may deliver them, without let or gain-saying of him that took them, if they were taken out of liberties; but if within any liberties, and the Bailiffs, thereof will not deliver them, the Sheriffe upon such Bailiffs default shall cause them to be delivered.

II. Stat 2. 2. 13. E. 1. Where upon Replevins Lords cannot

obtain Justices in Counties and other inferior Courts against their tenants, when such Lords are attached at their tenants suit, a writ shall be granted them (*viz. a Recordare*) to remove the plea before the Justices, where Justice shall be done them; And the cause shall be inserted in the writ, *viz.* because such a man distrained in his fee for services and customs to him due.

III. Here, the Avowry shall be upon the seisin of any ancestor, or predecessor since the time that a writ of *Novel disseisin* hath run.

IV. The Sheriffs or Bailiffs shall not onely take pledges of the Plaintiffe to prosecute his suit, but also to return the Cattell, in case return be awarded; And if pledges be otherwise taken, he shall answer the Lord for the price of the Beasts, to be recovered by writ; And if the Bailiff be not able to restore them, his superior shall do it.

V. If after return once awarded the beasts are again replevied, or as soon as return of the beasts is the second time awarded, the Sheriffe shall be commanded by a judicial writ to make return thereof to the distrainer, in which writ it shall be expressed, that the Sheriff shall not deliver them without a writ making mention of the Judgement given by the Justices, and such writ is to issue out of the Rolles of the said Justices; after which if the Plaintiffe desire to replevie his Beasts, he shall have a Judicial writ (*viz. a writ of second deliverance*) that the Sheriff taking surety for the suit and also of the beasts to be returned or their price (if return be awarded) shall deliver the Beasts before returned, and the distrainer shall be attached to come before the Justices at a certain day; and if he that replevied make default, or for some other cause return of the distress is awarded (being now twice replevied) the distress shall afterwards remain irrepleviable.

Receit.

I. The Statute of Gloucester, 11.6.E.1 When a man leaseth his tenement in London, and he in Reversion or remainder causeth himself to be impleaded by Collusion, and to make the termor lose his terme, loseth by default, or giveth it up; In this case the Major and Bailiffs may inquire by Enquest, whether such plea was moved upon good right or by covin; and if it be found that it was upon good right, Judgement shall be forthwith given; but if it be found by fraud to cause the termor to lose his terme, the termor shall enjoy his terme, and the execution of the Judgement, for the demandant shall be suspended until the terme be expired: In like manner shall it be of equity before the Justices, if the termor challenge it before the Judgement.

11. Stat.

II. Stat. de defensione Juris, 20.E.1. When any one demandeth tenements by the Kings writ, and a stranger before Judgement comes in by a Collateral title, and desireth to be received, before his receipt he shall finde sufficient suretie (as the Court will award) to satisfie the demandant the value of the lands so to be recovered from the day that he is so received, untill final judgement given to the demandant.

III. Here if the demandant recover, the defendant shall be grievously amerced, and if he have not whereof, he shall suffer Imprisonment at the Kings will; but if he can prove his right, he shall go quit.

IV. Stat. 13. R. 2. 17. If any tenant for life, in Dower, by the law of England, or in taile after possibilitie of issue extinct be impleaded, and he in the reversion come into the Court and pray to be received to defend his right at the day that the tenant pleadeth to the Action or before; he shall be then received to defend his right, and after such receipt the businesse shall be hastened as much as may be by the law without any delay whatsoever of either side: And therefore here dayes of grace shall be given by the discretion of the Judges betwene the demandant and the partie so received, and not the common day in plea of land, unlesse the demandant will thereunto, consent lest the demandants may be too much delayed, because they must plead to two adversaries.

V. Howbeit, they in the reversion, who so pray to be received shall finde sureties for the issues, of the tenements demanded for the time that the demandants be delayed, after the plea determined between the demandants and tenants, if the Judgement passe for the demandant against them in the reversion, as well where the receipt is Counter-pleaded as where it is granted.

Residence.

I. Artic. Cleri. 8. 9. E. 2. Such Clerkes as attend in the King service, if they offend, shall be corrected by their Ordinaries, as others be: Howbeit, so long as they be employed about the Exchequer, they shall not be bound to keepe residence in their Churches. *To this was added by the Kings Council.* The King and his Ancestors time out of mind have used, that Clerks, who are employed in his service, during the time they are so in his service, shall not be compelled to keep residence in their Benefices, and such things as be thought necessary for the King and Common-wealth ought not to be prejudicial to the Church.

II. Stat. 21. H. 8. 13. No spiritual person shall take to farm (to himself or to any other for his use) any lands or other hereditaments for life, yeares, or at will, in pain to forfeit ten pounds for every moneth he so continues the same, to be divided betwixt the King and the prosecutor.

III. This Act shall not extend to any spiritual person for taking to farm any temporalities (during the time of vacatiou) of any Archbishopricks, Bishopricks, Abbeyes, Priories, or Collegial, Cathedral, or Coventual Churches, nor to any such person who shall tender or make any travers upon any office, concerning his freehold.

IV. No spiritual person shall (by himselfe or any other for his use) buy to sell againe for profit any Cattel, victual, or Merchandize whatsoever in pain to forfeit treble the value thereof, to be divided betwixt the King and the prosecutor; And every such bargain shall be void.

V. Howbeit, a spiritual person may buy Horses, Mares, Cattel, or other goods for his necessary use and imployment, and in case they happen not fit for his turn may sell them againe, so as this be done without fraud or covin.

VI. Also Abbots, Priors, Abbesses, Prioreesses, Provosts, Presidents, and Masters of Colledges and Hospitals, and all other spiritual Governours and Governesses of any houses of Religion, having lands of the yearely value of 800 Marks or under, may use and occupy so much thereof for the maintenance of their houses, as they or any of their predecessors have done within 100 yeares last past, notwithstanding this Act.

VII. Likewise spiritual persons, not having sufficient Glebe or Demesne-lands in right of their Churches or houses; may (notwithstanding this Act) for the onely expences of their houses and for their carriages and journeys, take in some other land, and buy and sell corne and cattel for the onely manurance and pasturage of such farmes, so as it be done for such purposes onely without fraud or covin.

VIII. If any person having a Benefice with cure of Souls being of the yearly value of 8 l. or above, accept another with cure of Souls, and be instituted and inducted in possession of the same, immediately upon such possession thereof the first Benefice shall be adjudged void; and then it shall be lawful for the Patron thereof to present another, as if the Incumbent had died or resigned, any licence, union, or other dispensation to the contrary notwithstanding.

IX. Every licence, union, or other dispensation obtain'd contrary to this

this Act shall be void; And none shall obtain (from Rome or elsewhere) any licence, union, toleration, or dispensation to receive any Benefice with Cure, in pain of 20*l.* to be divided betwixt the King and the prosecutor.

X. Provided, that every spiritual person of the Kings Council may purchase licence or dispensation to keep three Benefices with Cure, and the Chaplains of the King, Queen, the Kings Children, Brethren, Sisters, Uncles, or Aunts may so keep each of them two.

XI. Also an Archhishop and Duke may have each of them six Chaplains; a Marquis and Earl, five; a Viscount and other Bishop, four; the Chancellor, every Baron and Knight of the Garter three; Every Dutchesse, Marquenesse, Countesse, and Baronesse, being widows, two; the Treasurer and Controulr of the Kings house, the Kings Secretary and Dean of his Chappel, the Kings Almoner and Master of the Rolls, each of them two; And the chief Justice of the Kings Bench, and Warden of the Cinque-Ports, each of them one; And each of the aforesaid Chaplains may purchase licence or dispensation to keep two Benefices.

XII. Likewise the brethren and sonnes of Temporal Lords (born in wedlock) may purchase such licence or dispensation to keep as many Benefices with Cure, as the Chaplains of a Duke or Archbishop: and the brethren or sons (born in wedlock) of every Knight may keep two.

XIII. Provided, that the aforesaid Chaplaine shall exhibit (where need shall be) Letters under the signe or seal of the King, or other their Lord or Master, testifying whose Chaplains they be, or else not to enjoy such plurality of Benefices.

XIV. Also Doctors and Bachelors of Divinity, Doctors of Law, and Bachelors of Law-Canon, admitted to their degrees by any of the Universities of this Realme, and not by grace onely, may purchase such licence to keep two Benefices with Cure.

XV. And because Archbishops must use (at consecration of Bishops) eight Chaplaines and Bishops (at giving of Orders and Consecration of Churches) six, every of them may have two Chaplaines over and above the number above limited.

XVI. Every spiritual person, that is advanced (by colour of this Act) to keep more Benefices with Cure, then is above-limited, shall incur the penalty above provided by this Act.

XVII. Every spiritual person promoted to any Arch-Deacon-

ric,

re, Deanery, or dignity in a Monasterie or Cathedral Church, or other Church Conventual or Collegial, or being beneficed with any Parsonage or Vicarage, shall be personally resident and abiding upon his said Dignity, Prebend, or Benefice, or at one of them at least, in pain to forfeit, for not being so resident by the space of a moneth together, or of two moneths (to be accounted at several times in any one year) the sum of 10 l. to be divided betwixt the King and the prosecutor.

XVIII. None shall obtain (from Rome, or elsewhere) any licence or dispensation to be non-resident, in pain of 20 l. to be forfeited, as aforesaid.

XIX. Howbeit, this Act shall not extend to any spiritual person being in the Kings service beyond Sea, or upon a pilgrimage beyond Sea, during the time that he shall be so in the Kings service; or upon the said pilgrimage, nor to any Scholar abiding for study (without fraud) at any University within this Realme; nor to any of the King or Queens Chaplains in Ordinary; neither yet to any of the other aforesaid Chaplains, which shall daily attend in their Lords or Masters households, so long as they so attend, with out fraud; nor to the Master of the Rolls, Dean of the Arches, the Chancellor or Commissary of any Archbishop or Bishop, the twelve Masters of the Chancery, or the twelve Advocates of the Arches (being Clergy-men) so long as they execute their offices or places; nor to any spiritual person compelled by injunction of the Lord Chancellor, or the Kings Council, to daily apparence to answer the Law, so long as he shall be so enjoined.

XX. Also, a spiritual person (being the Kings Chaplain) may accept (of the Kings gift) any Benefices, to what number soever, without incurring the penaltie of this Act; and the King may also licence his Chaplains for non-residence upon their Benefices, notwithstanding this Act.

XXI. No spiritual person shall take in farme any Parsonage or Vicarage, in pain to forfeit 40 s. for every week, that he or any other (for his use) so occupies the same, and also ten times the value of the profit or rent that he makes thereof, both which forfeitures are to be divided betwixt the King and the presecutor.

XXII. Provided, that no Deanery, Archdeaconry, Chancelorship, Treasurership, Chantership or Prebend in any Cathedral or Collegial Church, nor Parsonage that hath a Vicar indowed, nor any Benefice perpetually appropriate, shall be taken to be a Benefice with Cure of souls.

XXIII. No

XXIII. No spiritual person or any other for his use, shall keepe any tanne-house or Brew-house, in pain to forfeit for every moneth so using the same, 10 l. to be divided, as aforesaid: Howbeit he may here have a Brew-house for his own private use.

XXIV. Every Durchess Marquesse, Countesse, or Barronesse, widowes, shall retin their priviledges concerning Chaplains, notwithstanding their intermarriage with persons of a lower degree.

XXV. Also spiritual persons, having Possessions in right of their houses (above the value of 800 markes) may keepe so much thereof, as shall be necessary for the maintenance of their households: notwithstanding this Act; Or may take a dwelling house with Orchards and Gardens for their dwelling, so as (by colour thereof) they take not liberty to be non-resident.

XXVI. Stat. 25. H. 8. 16. Every Judge of the Kings Bench and Common Place, the Chancellor and Chief Baron of the Exchequer, and the Kings Attourney and Solicitor General may each of them have one Chaplain to be attendant to his person, having one Benefice with cure, who may be non-resident upon the same.

XXVII. Stat. 28. H. 8. 13. Every spiritual person above the age of 40 yeares being beneficed, (the Chancellor, Vice-Chancellor, Commissary, Rulers of Colledges or Halls, Doctors of the Chair, and Readers of Divinity in either of the Universities onely excepted) shall be resident upon one of their Benefices, according to the Statute of 21 H. 8. 13. upon the pain therein provided for non-residence.

XXVIII. Also, every beneficed person under the Age of 40 yeares abiding in either of the Universities, shall not enjoy the priviledge of non-residence provided by the said Statute of 21. H. 8. unless he be present at ordinary Lectures both in the house and Schools, and in proper person performe his exercises, according to the Statutes of the University where he so abides.

XXIX. This Statute shall not extend to any Readers of any publique Lecture in Divinity, Law Civil, Physick, Philosophy, Humanity, or any of the Liberal Sciences; nor to Interpreters or Teachers of the Hebrew, Chaldee, or Greek Tongues, in either of the Universities; nor yet to any person, who shall repair thither to proceed Doctor in Divinity, Law, or Physick, for the time of their proceedings there, according to the Statutes of the said Universities.

XXX. Stat. 33. H. 8. 28. The Chancellors of the Courts of the Dutchy of Lancaster, Augmentations, and first-fruits, the Master

Her of the Wards, every of the Kings Surveyors general, the Treasurers of the Kings Chamber, and of the said Court of Augmentations; and the Groom of the Kings stool may each of them retain one Chaplain, to be attendant to his person, having one Benefice with cure, who may be non-resident upon the same; Howbeit every such Chaplain shall (at least) twice every year repair to his Benefice, and abide there eight dayes at every such time to visit and instruct his Cure in pain to forfeit for every time so failing 40 s. to be divided betwixt the King and prosecutor.

Restitution.

I. Stat. 21. H. 8. 11. Where a felon robbeth or taketh away the money of goods of any, and is thereof found guilty or otherwise attainted by evidence given by the party himselfe or others by his procurement, in this case the Justices of Gaol-delivery, or other Justices, before whom he is so found guilty or attainted, have power to award a writ of restitution for the money or goods so robbed or taken, in like manner as if the felon were attainted at the suit of the party in appeal.

Return of Sheriffs and Bailiffs.

I. West. 2. 39. 13. E. 1. Such as do feare the ill execution of Writs by the Sheriffe shall deliver their writs unto him in open County, or in the rere County, and shall take of him or his Under-sheriff a bill, containing the names of the demandans and tenants mentioned in the writ, and require the Sheriff or under-sheriffe to put the seal thereunto, & mention shall be therein also made of the day of the deliverance thereof, and if the Sheriffe or Under-Seeriff refuse to do it, the testimony of Knights and other credible persons there present, do put their seals to such bill, shall be taken.

II. If the Sheriffe will not return writs delivered unto him, upon complaint thereto the Justices, a judicial writ shall issue to the Justices of Assize, to inquire by such as were so present, whether they knew of the deliverance thereof, and an Enquest shall be thereupon returned; and if it be found by them, that the writ was delivered, damages shall be awarded to the plaintiffe or demandant, having respect to the quality and quantity of the Action, and the peril he might incur by reason of such delay: And this is to prevent a return of the Sheriffe by *tardè*.

III. And for that the Sheriff sometime returnes a *Mandavi Baliva*

Balivo of a liberty, where there is none such, the Treasurer of the exchequer shall deliver to the Justices in a Roll all liberties (in every County) that have return of writs, and if the Sheriff return a *Mandavi Balivo* of a liberty not contained in the said Roll, he shall be punished as a disheritor of the King and his Crowne: And if he return a *Mandavi Balivo* of a liberty, that hath return, he shall have a *Non omittas propter aliquam libertatem* to do it, and shall be commanded to warn the Bailiffes thereof to be ready at a day to be named in the writ, to answer, why they did not execute the Kings precept, when if they come and acquaint themselves, that no return was made to them, the Sheriff shall be condemned to the Lord of the Libertie, and also to render damages to the party grieved by such delay: But if the Bailiffs appeare not, or do not acquit themselves, as aforesaid, in every Judicial writ (so long as the plea hangeth) the Sheriff shall have a *Non omittas*, &c.

I V. As concerning the Sheriffs return of issues, if the plaintiffe demand *Oyer* of the Sheriffs return, it shall be granted him, and if he averre, that the Sheriffe might have returned greater issues unto the King, he shall have a writ Judicial unto the Justices of Assize to inquire in the presence of the Sheriffe (if he will be there) what issues the Sheriffe might have returned from the *Teste* to the return of the writ; And when the Enquest is returned, if he have not before answered the whole, he shall be charged with the Overplus by estreats out of the Exchequer, and besides shall be grievously amerced for the Concealment; And here rents Corne in the grange and all moveables (except hors, harnesses, and household-stuff) are imprisoned under the name of *Issues*.

V. The King Commands, that Sheriffes shall be punished by the Justices once or twice (if need be) for such false returns: Howbeit, with the third offence none shall meddle but the King.

VI. The Sheriffe must beware of returning a rescue, for such answers tend much to the dishonour of the King: but when the Bailiffs testifie such resistance, forthwith the Sheriffe (all other businesse laid aside) taking with him the *Posse Comitatus*, he shall go in proper person to do execution, and if he finde his under Bailiffs false he shall punish them by Imprisonment, but if not, he shall Imprison the resisters, from whence they shall not be enlarged without the Kings special command.

VII. Also in case of resistance, the Sheriffe shall certifie the Court of the names of such resisters, their Aiders, Consenters, Commanders, and Favourers, and by a writ Judicial they shall be attached by their bodies to appeare in Court, where if they be con-

viſt, they ſhall be puniſhed at the Kings pleaſure. See this Statute confirmed in *Art. Sup. Chartas*, 16.28.E.1.

VIII. Stat. 12. E. 2. 5. An Indenture ſhall be made between the Sheriffe and Bailiff of a franchise under their names of every return delivered by the Bailiffe to the Sheriffe; and if the Sheriff change the return ſo delivered, and be thereof convict, he ſhall be puniſhed by the King, and yield to the Lord of the Liberty, and to the party grieved double damages.

I X. Sheriffs and Bailiffs ſhall ſet their names to their returns, in pain to be grievouſly amerced to the Kings uſe.

X. Stat. 2. E. 3. 5. At what time and Place in the County, a man delivereth a writ to the Sheriff or Under-Sheriff, they ſhall receive the ſame, and make him a bill, according to the Statute of *Westm.* 2.39. without taking any thing for the ſame; and if they reſuſe to make ſuch a bill, others there preſent ſhall ſet to their ſeals, and if the Sheriff or Under-Sheriff return not ſuch writs, they ſhall be puniſhed according to the ſaid Statute. Alſo the Juſtices of Aſſize ſhall have power to inquire thereof, and to award damages, having reſpect to the delay, and likewise to the loſſe and damage that might happen.

Richmond.

I. Stat. 26. H. 8. 15. A Statute ſhewing what duties ſpiritual perſons beneficed in the Archdeaconry of *Richmond* ſhall take after the deceaſe of any perſon there.

Ric and Wincheſſey.

I. Stat. 2. E. 6. 30. An Act was made againſt Ballaſt to be caſt into the Channel there.

Right.

I. *Magna Charta*, 24.9.H.3. The writ called *Præcipe in capite* ſhall be granted to no man upon any free-hold, whereby any free man may loſe his Court.

Riots, Routs, and unlawful Aſſemblics.

I. Stat. 27.R.2.8. The Sheriffs, and all other the Kings Officers

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cers shall suppress Rioters, and imprison them and all other offending against the Peace.

I I. Stat. 13. H. 4. 7. The Justices of Peace, or two of them (at least) together with the Sheriff or Under-Sheriff, shall by the power of the County suppress Riots, Routs, and unlawfull assemblies, arrest the offenders, and record what shall be done: By which Record of the said Justices, and Sheriffe or Under-Sheriff, the offenders shall stand convict, as by the Statute of 15. R. 2. 2. in case of forcible entries, (which see in force) and if the offenders be departed, the said Justices, and Sheriff or Under-Sheriffe shall within a moneth after make enquiry thereof, and hear and determine the same according to Law.

I I I. If upon such inquiry the truth cannot be discovered in manner aforesaid; then shall the said Officers within one moneth after such inquiry certifie the fault, together with the circumstances thereof unto the King and his Council, which certificate of theirs shall be in the nature of a presentment by twelve, whereupon the offenders shall be brought to answer, and those that be found guilty shall be punished at the discretion of the King and his Council.

I V. If the offenders traverse the said Certificate then that together with the traverse shall be sent into the Kings Bench, there to be tried.

V. If the offenders upon the first precept do not appeare before the Council; or in the Kings Bench a second precept shall issue forth, upon which if they cannot be found; or if within three weeks after Proclamation made against them in the next County Court after the delivery of the second precept, they do not make their appearance before the Council, in the Kings Bench, or in the Chancery (in vacation-time) upon returne of the said Proclamation they shall stand convict and attainted of the offence committed.

V I. Justices of Peace dwelling neere the place where such Officers shall be committed, and Justices of Assize for the time they shall be in their sessions (in case any be then committed) shall do execution of this Act in pain of 100*li*.

V I I. Stat. 2. H. 5. 8. If default be found in the Justices of Peace or Assize, or in the Sheriffe or Under-Sheriffe touching the execution of 13. H. 4. 7. at the instance of the partie grieved, the Kings Commission shall go out to inquire as well of the truth of the case and original matter, as of the defaults aforesaid, directed to sufficient men of the County, at the discretion of the Lord Chancellor, which Commissioners shall presently return into the Chancery the Enquests and matters before them found.

VIII. Here

VIII. Here, during the Sheriffs, or Under-Sheriffs remaining in his Office, the Coroners shall impanel the Jury, each of them having Lands worth 10 *li. per annum* at least, and upon each of which, for making default, the Coroners shall return Issues, viz. for the first day 20 s. for the second 40 s. for the third 100 s. and for every day after double: And all this the Coroner shall do in pain of 40 *l.* But in case the Sheriffe or Under-Sheriffe, reputed in default, be discharged of their Office, the new Sheriffe shall do that, which the Coroners are above enjoined to do, and shall incur the like penalty, if they therein make default.

IX. The Lord Chancellor upon knowledge of any such offence, shall send the Kings Writ to the Justices of Peace, Sheriff, and Under-Sheriff of the same Contry, to put the said *Statute* of 13. H. 4. 7. in execution, upon the pain therein contained: But although no such Writ be sent, yet shall they not be excused of the said pain, if they make not execution of the same Statute.

X. A Riot, &c. shall be repressed, and enquired of at the Kings charge, which the Sheriffe shall disburse by indenture betwixt the Justices of Peace and him, and shall be answered him again upon, his accompt in the Exchequer.

XI. Persons guilty of heinous Riots shall suffer one whole years imprisonment without bail, but petty Rioters shall be imprisoned: as shall seeme best to the King and his Council; And greater fines shall be set upon Rioters then in time past, in aide and supportation of the Justices and other Officers in that behalfe.

XII. All the Kings liege people, upon warning, shall be assistant to the Justices, Commissioners, Sheriffe, and Under-Sheriff aforesaid, upon pain of imprisonment, and to make fine and ransom to the King.

XIII. Bailiffs of Franchises shall cause sufficient men to be impanelled upon such Enquests, if any such be found within their Liberties. And the Ordinances and pains aforesaid shall extend to Corporations and Liberties, where they have Justices of Peace within themselves.

XIX. Stat. 2. H. 5. 9. Upon a Bill of complaint for any Riot, &c. preferred by the party grieved to the Lord Chancellor for the time being, together with a suggestion testifying the same, under the Seals of two Justices of Peace, and the Sheriff of the County, the said Lord Chancellor shall send forth a *Capias*, returnable in the Chancery at a certain day, by which if the parties offending, or any of them be taken, they shall be committed to ward, or let to mainprise, at the discretion of the said Lord Chancellor, and shall

be proceeded against as the Law requireth: But if the Sheriff return *Non est inventus*, a Writ of Proclamation (to be proclaimed two County Court dayes) shall go out returnable in the Kings Bench at a certain day, before which if they render not themselves, they shall be adjudged convict, and attainted of the offence suggested.

XV. If the offence be committed within the County Palatine of Lancaster, or other Franchise, where there is a Chancellor and Seal, The Lord Chancellor of England shall send a Writ to the said Chancellor, commanding him to make such execution, as in this Act is comprised.

XVI. Stat. 8. H. 6. 14. Two Justices of Peace of the Counties where riots are supposed to be committed, shall testifie that the common fame runneth in the same Counties of the same Riots, before *Capias* shall be awarded according to the Statute of 2. H. 5. 9.

XVII. If the offence be committed within a libertie, where there is a Chancellor and a seal, upon information of the Riot, &c. from a Justice of Peace, and Sheriff there, the said Chancellor hath power to award writs of *Capias* and *Proclamation*, as the Chancellor of England hath.

XVIII. Stat. 19. H. 7. 13. If any riot, &c. be committed, the Sheriff upon a precept directed unto him shall return 24 persons, whereof every one shall have freehold within the same County worth 20 s. *per annum*, or Copihold worth 26 s. 8. d. *per annum*, or Copihold and Freehold together worth 26 s. 8. d. *per annum* for to inquire of the same Riot, &c. And shall return issues upon every Juror making default, *viz.* for the first day 20 s. and for the second 20 s. and all this the Sheriff shall do, in pain of 20 l.

XIX. If the said riot, &c. be found by reason of any maintenance or embracery of the said Jurors, then shall the Justices and Sheriff, or Under-sheriff, (besides the certificate they are to make according to the Statute of 13. H. 4. 7.) certifie the names of such maintainers and Embraceers, together with their misdemeanors in pain to forfeit 20 l. a piece; which certificate shall have like force of proving the offence as a verdict of 12 men: And then such maintainers and Embraceers shall forfeit 20 l. a piece, and remain in prison at the discretion of the Justices.

Robberies.

I. Stat. West. 1. 9. 3. E. 6. 1. All persons shall be ready (at the Summons of the Sheriff and Crie of the Countrey) to pursue and arre-
felons

felons, in paine (after attainder thereof) to make fine to the King.

II. If default be in the Lord of a Franchise, the King shall seize his Franchise; but if in his Bailiff, the Bailiff shall be imprisoned for a year, and make fine to the King, and if he have not whereof, he shall suffer two years imprisonment.

III. If the Sheriff, Coroner, or other Bailiff for any reward, fear, or favour, conceal, consent to, or procure to conceal any felonies done within their liberties, or wil not attach or arrest them (where they may) and be thereof attainted, they shall suffer one years imprisonment, and be grievously fined to the King, if they have whereof, but if not, they shall suffer three years imprisonment.

IV. *The Statute of Winchester, Cap. 1. 13. E. 1.* Immediately upon Robberies and Felonies committed fresh suit shall be made from Town to Town, and from Countrey to Countrey.

V. *Cap. 2.* When need requires, Enquests shall be made in Townes by the Lord there, and then in the Hundred, after in the County, and somerimes in 2, 3, or 4 Counties, when the felonie is committed in the division of Counties: Here if the Countrey wil not answer the bodies of the offenders, the people there shall be answerable for the Robberies done, and also for the damages; So as the whole Hundred, where the Robberies are done, (together with the liberties therein) shall be answerable for the Robberies there committed; And if they be done in the division of two hundreds, both hundreds together with their Franchises shall answer them; And here, the Countrey shall have but 40 dayes given them to agree for the robberie or offence, otherwise they are to answer for the bodies of such offenders.

VI. *Cap. 4.* In great Townes walled, the gates shall be shut from Sun-set till Sun-rising, and none shall lodge without the towne from 9 a clock until day, unlesse his host will answer for him: for which purpose the Bailiffs of the towns shall make search once every fournight at least, & if rhey find any suspicious persons lodged without the towne against the Peace, they shall do right therein: Again, berwixt *Ascension-day* and *Michaelmas* watch shall be kept all night from Sun-set till Sun-rising, viz. in a Citie with six men at every gate, in a Burrough with 12 men, and in every town with 6 or 4 men, according to the number of the Inhabitants there; & if any stranger passe by them he shall be arrested until morning, when, if they have no suspicion of him, they shall let him go quit, but if otherwise, they shall deliver him to the Sheriffe to be safely kept, untill he be

duely acquitted; And here, if he will not obey the arrest, they shall levie Hue and Crie upon him, And for such arrest of a stranger none shall be punished.

VII. *Cap. 5.* High-ways leading from Market to Market shall be so enlarged, that there shall not be any dike, tree, or Bush within 200 foot thereof; Howbeit this Act shall not extend to great trees: Here if by default of the Lord, in not removing his dike, under-wood or Bushes, any Robberie be here committed, he shall be answerable for the same; and if there be murder committed, the Lord shall make fine at the Kings will; And in case the Lord be not able to fell the underwoods, the Countrey shall helpe him: The Kings demesne lands and Forests shall be also subject to this law; and if a Park be set too neere the high-way, the Pale thereof shall be removed to the distance aforesaid.

VIII. *Cap. 6. Pars inde.* Two Constables shall be chosen in every Hundred and Franchise, who shall present to the Justices assigned such defaults, as they shall find in the Countrey concerning suits, watches, and high-ways, and also such persons as lodge strangers in uplandish townes, for whom they will not answer. And the Justices assigned shall present them at the Parliament to the King, who will provide remedy therein: Also Sheriffs and Bailiffs of Franchises are straightly commanded to follow the Crie with the Countrey, and to keep horse and armes to performe the same, in pain to be presented by the Constables to the Justices assigned, and by them to the King, as aforesaid.

IX. *Artic. Sup. chartas, 17. 28. E. 1* The Statute of Winchester shall be againe sent into every Countrey to be read and published 4 times in the yeare,, and to be kept as strictly as the Great Charters, upon the pains therein limited; And for the better observance thereof the Knights assigned in the Counties to redresse things done against the great Charters, shall be likewise charged with this, and have warrant for the same accordingly.

X. *Stat. 5. E. 3. 14.* If any have suspicion of night-walkers or other suspicious persons (*then called Robertsmen, wastors, and Draw-latches*) by day or by night, they shall be presently arrested by the Constables, and if it be in a Franchise they shall be delivered to the Bailiff; but if in a Guildable, then to the Sheriffe, and shall be kept in prison, till the comming of the Justices to deliver the Gaol, and in the meantime the Sheriff or Bailiff shall inquire of such arrests and returne their enquests before the Justices at their comming together with the cause of their taking, whereupon the Justices shall proceed to their deliverance, according to law; and here

here if the Sheriff or Bailiff neglect to enquire, they shall be amerced, and nevertheless the Justices shall make enquiry, and proceed to the deliverance

XI. Stat. 18. E. 3. 11. The Statute of *Winchester*, Cap. 1. & 2. 13. E. 1. is confirmed, being in a manner the same with that word for word.

XII. Stat. 7. R. 2. 6. The Statute of *Winchester* is again confirmed, and it shall be proclaimed four times a year by the Sheriff himself in person in every Hundred, and in every Market by the Bailiffs thereof.

XIII. Stat. 27. E. 1. 13. The Hundred where fresh suit shall cease, shall answer half the damages to the Hundred wherein the Felony shall be committed, to be recovered in any Court at *Westminster* in the name of the Clerke of the Peace of the County wherein the Felony was committed, and here the death or change of the Clerk of the Peace shall not abate the suit.

XIV. When in this case damages are recovered against one or some few Inhabitants of the Hundred, and the rest refuse to contribute thereunto, two Justices of Peace (1 Qu.) dwelling within or neere the same Hundred, shall for the levying thereof set a tax upon every Parish within that Hundred; according to which the Constables and Headboroughes of every Towne shall tax the particular Inhabitants, and levy the money upon them by distresse, and sale of goods, & deliver the money levied to the said Justices or one of them.

XV. No Hundred shall be chargeable, when any one of the malefactors shall be apprehended or when the action is not prosecuted within one year after the Robbery committed.

XVI. No Hue and Crie shall be deemed legall, unlessse the pursuit be both by horse and foot.

XVII. No person robbed shall maintain an action in this case, unlessse with all convenient speed he makes his robbery knowne to some near Towne, Village, or Hamlet, and within twenty dayes before the Action brought make oath before a Justice of Peace dwelling within or neare the Hundred, where the Robbery was committed, whether he know the parties that robbed him or any of them, and if he know, shall enter into sufficient bond before the same Justice to prosecute the person or persons, so by him knowne, by Indictment or otherwise according to the Law.

XVIII. Stat. 39. E. 2. 5. A Remedy for the Inhabitants of the Hundred of *Benbursf* in the County of *Berks* for recovery of such summes of money as shall be gained from them by force of the Statute of 27. E. 1.

I. Stat. 25. H. 8. 19. The convocation shall be assembled by the Kings writ, and shall not enact any Constitutions or Ordinances without the Kings assent.

II. No Canons shall be executed, which be repugnant to the Kings prerogative, or to the Customes, Lawes, or Statutes of this Realme.

III. There shall be no appeales to Rome, but from henceforth they shall be according to the Statute of 24. H. 8. 12. which see in Appeals to Rome.

IV. Appeales from the Courts of the Arch-bishops of this Realme shall be to the King in his Chancery, out of which shall thereupon issue a Commission under the Great Seale to certaine persons to be named by the King, who shall thereby have power to hear and definitively to determine all such appeales and the causes concerning the same, and from whose decree or sentence therein there shall be no farther appeale.

V. If any sue for an Appeale to Rome, he shall incurre a *præmunire*, but this is made treason by 13. El. 2. which see in Crowne.

VI. Appeales from places exempt, which were before to the See of Rome, shall be henceforth into the Chancery, and shall be determined before Commissioners, as aforesaid.

VII. Provided, that all Canons, Constitutions, Ordinances, and Synodals provincially not repugnant to the Kings prerogative, nor to the Customes, Lawes or Statutes of this Kingdom, shall be still used and executed notwithstanding this Act.

VIII. Stat. 25. H. 8. 20 No man shall be presented to the See of Rome for the dignity of an Archbishop or Bishop, neither shall Annates or first-fruits be paid to the same See.

IX. Concerning the Election of Archbishops and Bishops, the King may send to the Prior and Convent or Deane and Chapter, the place shall be void, his letters missive, containing his *congéd' eslire*, or licence to elect the person named in the said letters missive which person they are to choose for their Archbishop or Bishop and none other.

X. In case they fail to make election accordingly, the King shall nominate such an Archbishop or Bishop by his Letters patents and if it be a Bishop, he shall present him to the Archbishop, or (in case that See be then void) to any other Archbishop within his Domini-
on; but if it be an Archbishop, then to an Archbishop and two o-
ther

ther Bishops, or else to four other such Bishops, to be nominated by the King.

XI. When any Archbishop or Bishop is elected or presented, as aforesaid, they are in due forme. to be invested and consecrated, viz. a Bishop by the Archbishop of that Province, or (in case of vacation) by any other within the Kings dominions, and an Archbishop by some other Archbishop and two Bishops, or else by four Bishops, without suing for any Bulls, Letters, or other things from the See of Rome for the same: And such Archbishop or Bishop betwixt his Election and consecration shall be called the Lord Elect of such a dignity.

XII. Such Election or presentment of an Archbishop or Bishop shall be lawful and make them capable to do and execute all things that concerne the said dignities.

XIII. If the Prior and Covent or the Deane and Chapter within 20 dayes after the receipt of the Kings *Conge de eslire* do not proceed to election, and certifie the same to the King; or if the Archbishop or Bishops, unto whom the King presents any such person to be invested and consecrated, as aforesaid, do not performe the same accordingly within 20 dayes after such presentment; or if any person or persons do admit, obey or execute any Censures, Excommunications, Interdictions, Inhibitions, or any other processe or Act in derogation of this Act; that then all and every person and persons so offending shall incurre a *Premunire*.

XIV. Stat. 25 H. 8. 21. No imposition shall be paid to the Bishop or See of Rome, neither shall any person sue for any dispensation or licence to the Bishop of Rome.

XV. The Archbishop of *Canterburie* may grant dispensations to the King, and likewise licences to all others, of things formerly used to be licenced: Howbeit of causes not used to be licenced no dispensations shall be granted without the approbation of the King and his Councill.

XVI. Here, licences of things, whereof the tax did heretofore extend (at Rome) to 4 li. shall be also confirmed by the Kings great Seal, and likewise enrolled in Chancery by a Clerke thereto appointed; but all others may be granted by the Archbishop without such confirmation, unlesse the partie desire to have it enrolled, and then the fee for the scale shall be 5 s. and not above: And all Acts done by such licences shall be good in Law.

XVII. All children procreated after Marriage, to be had or done by such licence or dispensation, shall in all Courts be admitted legitimate and inheritable.

XVIII.

X V I I I. There shall be a Clerke assigned by the Archbishop to register dispensations, and another by the King to enroll confirmations.

X I X. There shall be two Books made, wherein the taxes, of dispensations shall be written, whereof the one shall remain with the said Register of the Dispensations, and the other with the said Clerk of the Confirmations.

X X. None shall pay for dispensation greater taxes then shall be set down in the said Books, and if any Officers take more, he shall forfeit ten times so much to be divided betwixt the King and the prosecutor; Howbeit where they are Arbitrary, the Archbishop, and Lord Chancellor and Keeper shall rate them; and here also is set down, how the money received shall be divided; for which see the Statute at large.

X X I. This Act shall not inhibit the Archbishop of York, nor other Bishops to dispence, as they were wont to do by the Common Law, and custome of this Realme.

X X I I. During the vacation of the See of Canterbury the Guardian of the Spiritualties shall grant dispensations: Here is also a remedy provided, where the Archbishop or Guardian refuse to grant dispensations, viz, by a Commission from the King to impower two other Prelates to performe the same; for which see the Statute at large.

X X I I I. All religious houses heretofore exempt from the Visitation of the Archbishop shall still remaine so, notwithstanding this Act, and shall be under the Visitation of the King by Commission under the great seal, so as the Popes power shall be quite excluded from all such Visitations; neither shall any religious person from henceforth depart this Realme for any Visitation, Congregation, or Assembly whatsoever, but all such meetings shall be hereafter within the Kings Dominions.

X X I V. Howbeit, this Act nor any licence or dispensation to be granted thereby shall derogate the Statute of 21. H. 8. 13. touching pluralities of Benefices or non-residence.

X X V. Whosoever sues for any licence, dispensation, &c. to the See of Rome, or obeys any processe from thence, shall incurre a *Premunire*; but this is made Treason by 13 El. 2.

X X V I Grants and confirmations of liberties obtained from the See of Rome to any Abbeyes, or other Religious houses, shall be of the same effect as they were before this Act.

X X V I I. Abbeyes nor other places exempt shall pay any pensions to the See of Rome, nor accept any dispensation or confirmation from

from thence, nor make any oath to the Bishop thereof; and where no such confirmation was requisite, they shall still remain as before notwithstanding this Act.

XXVIII. Dispensations obtained at *Rome* before the 12 of March 1533, shall remain of the force, that they had before this Act.

XXIX. The King with the advice of his Council may reform the manner of Indulgences.

Safe Conducts.

I. Stat. 15. H. 6. 3. In all safe conducts the name of them of the Ship, and of the Master, and the number of the Mariners, together with the portage of the Ship shall be expressed.

II. Stat. 18. H. 6. 8. Goods may be loaded into the ships of the Kings Enemies, so as the Merchant hath an *Authentique* safe conduct for them, otherwise they may be made prize by any that can take them.

III. Stat. 20. H. 6. 1. All letters of safe conduct, which be not enrolled in the Chancery before the delivery of them shall be void.

IV. They who will take benefit of the Kings safe conduct shall have it ready enrolled at the time of their apprehension: Howbeit although the safe conduct be not presently shewed yet it will suffice if it be afterwards proved to be then enrolled.

Saint Johns.

I. Stat. 32. H. 8. 24. By this Act the Corporation of Saint Johns of Jerusalem in England and Ireland was dissolved. and the Priors and Confreres thereof prohibited to wear the Mark, &c.

II. The King was to have their Houses, Churches, Lands, goods, Chattels, Debts, and all other things of theirs: There be also divers pensions appointed severally to the Priors, Chaplains, and Confreres of that order to continue, during their lives.

III. All of that Order are discharged from obedience for their Religion, and also enabled to sue, and to take and have liberty, as other religious persons were enabled by 31. H. 8. 6. (*which see in*
Abi-

Ability.) Likewise their lands are to be within the survey of the Court of Augmentations.

Scarborough.

I. Stat. 37. H. 8. 14. An Act for the incorporating of two persons, (by the name of the Masters or Keepers of the Peer and Key at Scarborough) who have power to distrain every man having lands or houses there for the fifth part of the yearly revenue thereof towards the repair of the said Peer and Key: See the Statute at large.

Sea.

I. Stat. 18. E. 3. Stat. 1. 3. The Sea shall be open to all Merchants to pass with their Merchandise, where they please.

Seals.

I. Artic. Sub. chart. Cap. 6. 28. E. 1. No writ concerning the Common Law shall be awarded under any of the petty seals.

II. Stat. 11. R. 2. 10. The Kings signet or privie seal shall not be sent in prejudice of the Realm, or disturbance of the Law.

III. Stat. 4. H. 7. 14. All grants and writings of lands and other things pertaining to the Earldome of March shall be under the Great Seal, and not under any special seal.

Serjeants at Armes.

I. Stat. 13. R. 2. 6. There shall be but thirty Serjeants at Armes, who shall meddle with nothing but what concerns their offices; neither shall they oppress the people, in pain to lose their office, make fine to the King at his pleasure, and full satisfaction to the party.

Service and Sacraments.

I. Stat. 1. E. 6. 1. None shall speak or do anything in contempt of the most Holy Sacrament, in pain of Imprisonment, and to make fine and ransom at the Kings will.

II. Three Justices of Peace (1 Qu.) have power to take information by the oaths of two lawful persons (at least) concerning the

the offence aforesaid, and to binde over by recognisance every accuser and witness, in *5. l.* a piece, to appear at the next Sessions to give evidence against the offenders, who are there to be enquired of before three such Justices, or more, by the oathes of twelve men, and also indicted, if the matter alledged against them be found true.

III. Three such Justices or more have likewise power to send out two *Capias* and *Exigent*, and a *Capias Utlagatum* against such offenders into all Counties and liberties, and upon their apparence to determine the contempts and offences aforesaid, or to take bail for their apparence to be tried, as aforesaid.

IV. The Justices also have power to direct a writ in the Kings name, to the Bishop of the Diocess where the offence was committed, by which he shall be required to be present himself (or some for him sufficiently learned) at the arraignment of the offender, and to give advice concerning the offence committed.

V. This offence shall be prosecuted within three moneths, and the offender shall be admitted to produce witnesses for his defence.

VI. The Minister shall deliver the Sacrament to every person in both kinds, and shall not (without a lawful cause) deny it to any, that will devoutly and humbly desire it.

VII. Stat. 2. 3. 6. 1. Every Minister shall use the Church-service in such form as is mentioned in the Book of Common prayer, established by this Act; And shall not use any other, or deprave the same, in pain (if he be beneficed, and convicted thereof by the verdict of twelve men, his own confession, or notorious evidence of the fact) to forfeit to the King for the first offence that of his Benefices, which the King will choose, and to suffer six moneths Imprisonment; for the second, to suffer one whole years Imprisonment, and to be deprived *ipso facto* of all his spiritual promotions, whereupon every Patron may present; and for the third, to suffer imprisonment, during life. And if he be not beneficed, for the first offence he shall suffer six moneths imprisonment, and for the second, imprisonment during life.

VIII. If any shall be convicted to have by enterludes, playes, songs, rhymes or otherwise depraved the said books, as to have compelled or procured the Minister to sing or say any other Church-service, or in any other form then as aforesaid; or by any such means to have interrupted or let the Minister to sing or say the said service, they shall for the first offence, forfeit *10 li.* to the King; or (that not paid within six weeks after conviction) shall suffer (instead thereof)

of) three moneths imprisonment without bail : for the second time offending, shall forfeit 20 l. or (that not paid within six weekes as aforesaid) shall suffer six moneths imprisonment without baile : and the third time, shall forfeit all their goods, and suffer imprisonment during life.

IX. Justices of Oyer and Terminer and Justices of Assize have power to heare and determine these offences : unto whom the Archbishop or Bishop of the Diocess may associate himselfe if he please.

X. This shall not restraine any private man, or publick Colledges to use the said service in such tongues, as they understand, the holy Communion only excepted ; or any other to use Psalmes or Prayers taken out of the Bible at convenient times, not letting thereby the said service.

XI. The offences aforesaid shall be prosecuted at the next Assize or Sessions of Oyer and Terminer after they are committed : And here trial of Peers shall be by Peeres.

XII. Chief officers of Cities and Corporations shall also heare and determine these offences within their severall Precincts, and so likewise shall Ecclesiastical Magistrates ; Howbeit none shall be punished above once for one offence,

XIII. Stat. 5.6.E.6.1. Every person shall resort to his Parish Church or Chappel ; or (upon just let so to do to some other every Sunday and Holiday, in pain to be punished by the Censures of the Church.

XIV. The Common prayer-book now made perfect and annexed to this Act, together with the addition of consecrating Archbishops, Bishops, Priests, and Deacons, shall be used and esteemed as by the Statute of 2.3.E.6.1. is ordained, under the pains in that Statute expressed.

XV. If any shall be convict by verdict of twelve men, before Justices of Assize, Oyer Terminer, or peace in Sessions to have wittingly heard, or to have been present at any other forme of Common-prayer, administration of Sacraments, making of Ministers or other rites then what are expressed in the said Book, or which are contrary to the said Statute of 2 and 3. E. 6. 1. shall for the first offence suffer six moneths imprisonment without bail, for the second, twelve moneths imprisonment ; and for the the third imprisonment during life.

XVI. Stat. 1. M. Sess. 2. cap. 3. If any shall disturb a Preacher lawfully licenced, he shall be by the Constables or Churchwardens of the Parish brought before a Justice of Peace, who, upon due accusation shall presently commit him to safe custody, and within
six

fix dayes after, together with another Justice, shall diligently examine the fact, who, if they finde cause, shall commit him to the common Gaol, there to remain for three moneths, and from thence to the next Quarter-sessions; at which upon the parties reconciliation, and entring into bond for the good behaviour for one whole yeare (at the discretion of the Justices in Sessions) he shall be released: but if he persist still in his obstinacie, he shall remain in prison without bail; untill he shall reconcile, and be penitent for his offence.

XVII. He that rescues an offender in this kinde shall suffer like imprisonment, as aforesaid; and besides shall forfeit 5 *l.* to the Queen.

XVIII. The Inhabitants of a Town that suffer such an offender to escape, shall forfeit 5 *l.* being presented before the Justices of Peace in Sessions within the County or Corporation where the escape was made.

XIX. Justices of Peace, Assize, and Oyer and Terminer, and Majors, and Head-officers of Corporations have power to heare and determine these offences, and to impose the fines aforesaid.

XX. This Act shall not restrain the Jurisdiction of the Ecclesiastical Lawes; Howbeit none shall be punished hence for one offence.

XXI. Stat. 1. El 2. Every Minister shall use the Church-Service in such forme as is mentioned in the Book of Common-Prayer established by 5.6.E.6. together with the addition of certaine lessons to be used on every Sunday in the yeare, and the forme of the Letany altered and corrected, and two Sentences onely added in the delivery of Sacraments to Communicants.

XXII. If any Minister shall be convicted by the verdict of twelve men, his owne confession, or notorious evidence of the fact, to have refused to use the Church-service; or to have used any other rite, ceremony, order, forme, or manner then is set forth in the said book, or to have depraved the same book, or any thing thereof conteined, he shall forfeit (being a beneficed man) for the first offence one whole yeares profit of all his spiritual promotions, and suffer six monethes imprisonment; for the second shall be deprived *ipso facto*, whereupon every Patron may present; and shall suffer one whole yeares imprisonment: And for the third shall be also deprived as aforesaid, and suffer imprisonment during life: And if he be not beneficed, for the first offence he shall suffer one whole yeares imprisonment, and for the second, imprisonment during life.

XXIII.

XXIII. If any shall be convicted to have by Enterludes, Plays, Songs, Rhymes, or otherwise depraved the said Book, or to have compelled or procured the Minister to sing or say any other Church-service, or in any other forme then as aforesaid: or by any such meanes to have interrupted or let the Minister to sing or say the said service; they shall for the first offence forfeit 100 marks to the Queene, or that not paid (within six weeks after conviction) shall suffer (instead thereof) six moneths imprisonment; for the second offence, shall forfeit 400 marks, or that not paid (within six weeks as aforesaid) shall suffer one whole years imprisonment: and for the third offence shall forfeit all their goods and Chattels, and suffer imprisonment during life.

XXIV. Every person shall resort to their Parish-Church, or (upon let thereof) to some other, every Sunday and holy day, upon paine to be punished by censures of the Church, and also to forfeit 12. s. to be levied by the Churchwardens there, for the use of the poore, upon the offenders goods by way of distress.

XXV. Justices of Oyer and Terminer and of Assize, and Major and head-Officers of Corporations have power to heare and determine these Offences: unto whom the Archbishop or Bishop of the Diocese may associate himself, if he please: *Howbeit, note that by the Statute of 23. El. 1. Justices of Peace have also power to meddle therein, which see in title Crown.*

XXVI. None shall be impeached by this Act, unless the offence be presented at the next Sessions of Oyer and Terminer, or Assize after it is committed, and here trial of a Peer shall be by Peers.

XXVII. This Act shall not restrain Ecclesiastical Jurisdiction, howbeit none shall be punished twice for one offence.

XXVIII. Such Ornaments and Ministers of the Church shall be retained, as were to be in the Church of England, by the Statute of 2. 3. E. 6. 1. until the Queene shall take other order by the advice of Commissioners by her to be appointed under the great Seal, or by the advice of the Metropolitan of this Realme.

XXIX. If any contempt or irreverence be used in the Ceremonies or rites of the Church by misusing the orders appointed in the Book of common prayer, the Queene by like advice of the said Commissioners or Metropolitan may ordain such farther Ceremonies or rites, as may be most for Gods glory, the edifying of the Church, and reverence of Christs holy Ministeries and Sacraments.

XXX. All other Laws made for other service shall be void.

XXXI. Stat. 5. El. 28. An Act for translating of the Bible and Book of common prayer into the Welsh tongue: Also the

shall be an English Bible and Book of common Prayer in every Church of wales.

XXXII. Stat. 3. Jac. 1. All Ministers in every Cathedrall and Parish-Church, or other usual place for Common prayer within the Kings Dominions shall always upon the fifth day of November, say morning Prayer, and give thanks to God for the happy deliverance of the King, Queen, Prince, and both Houses of Parliament upon that day.

XXXIII. Every person within the Kings Dominions shall always upon that day diligently resort to his Parish-Church or Chappell, or to some usual Church or Chappell, where the said Common Prayer, Preaching, and other service of God shall be used, and there orderly abide during the said solemnity.

XXXIV. Every Minister shall give warning publicly in the Church at Morning prayer, the Sunday before every such fifth of November, for the due observation of the said day, and after Morning prayer or preaching upon the said fifth day of November, shall read publicly and distinctly this present Act.

Severn.

I. Stat. 34, 35. H. 8. 9. A penalty for casting any Ballast or Rubul in King-rod, or in any part of the Haven unto Bristol.

II. None shall load any Corn in any Vessel by the water of Severn, to be transported beyond Sea, before he be bound to the Customer of Bristol to bring it first to Bristol to be there viewed by the Major thereof for the time being, in pain to forfeit both the Graine and Vessel.

III. The penaltie where one bringeth more Corne to Bristol to be measured and thence to be transported, then is contained in his Cocket or licence, which is to be delivered unto him by the said Major when he takes bond of him, as aforesaid.

IV. The penaltie for denying to measure the Corne at Bristol five pounds for every time, to be divided betwixt the King and the prosecuter: see the Statute at large.

Sewers.

I. Stat. 6. H. 6. 5. During ten years several Commissions of Sewers shall be made to divers persons by the Chancellor of England to be sent into all parts of the Realme, where need shall be according to the forme in the said Statute expressed. for which see the

the Statute at large, being here omitted, because a later Commission was afterwards ordained by the Statute of 23. H. 8. 5. which see after in the proper place.

II. Stat. 8. H. 6. 3. Commissioners of sewers; shall have power to do, ordain and execute, all such Statutes, Ordinances; and other things as shall be made according to the effect and purport of the Commission of sewers, ordained by the Statute of 6. H. 6. 5.

III. Stat. 18. H. 6. 10. Commissions of Sewers shall be awarded, where need shall require, during 10 yeares.

IV. Stat. 23. H. 6. 9. The Chancellor of *England* may grant Commissions of Sewers during 15 yeares.

V. Stat. 12. E. 4. 6. The Chancellor of *England* may grant Commissions of Sewers for 15 yeares, where need shall require.

VI. Stat. 4. H. 7. 1. Commissions of Sewers shall be granted during 25 yeares.

VII. Stat. 6. H. 8. 10. Commissions of Sewers shall be granted, during 10 yeares, according to the Statutes of 6. H. 6. 5. and 4. H. 7. 1.

VIII. Stat. 23. H. 8. 5. Commissions of sewers, shall be directed into all parts of the Realme from time to time, where and when need shall require, according to the manner, forme, and tenor hereafter following, to such substantial and indifferent persons as shall be named by the Lord Chancellor and Lord Treasurer of *England*, and the two Chief Justices, or any three of them, whereof the Lord Chancellor is to be one.

IX. Henry the eighth, &c. Know ye that forasmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gotes, Calcies, Bridges, streams, and other defences by the Coasts of the sea, and Marsh-ground being and lying within the limits of A, B and C in the County or Counties of

or in the borders or confines of the same, by rage of the sea flowing and reflowing, and by mean of the trenches of fresh waters descending and having course by diverse wayes to the sea, be so disrupt, lacerate and broken: And also the Common passages of ships, Barges, lengers and Boates in the rivers, streams, and other floods within the limits of A, B and C in the County or Counties of

or in the borders, or confines of the same, by mean of setting up, erecting and making of streames, milles, bridges, pools, fishgarths, mildams, locks, hebbing-weares, hecks, floodgates, other lets, impediments, or annoyances, be letted or interrupted: So that great and inestimable damage for default of reparation

the said Walles, Ditches, Banks, Fences, Sewers, Gotes, Gutters, Calcies, Bridges, and streams, and also by mean of setting up and erecting, making and enlarging of the said fishgarthes, mildams, locks, hebbling-weares, hecks, floodgates, and other annoyances, in times past, hath happened, and yet is to be feared, that farre greater hurt, losse and damage is like to ensue, unlesse that speedie remedie be provided in that behalfe.

X. We therefore for that by reason of our dignitie, and prerogative royall, we be bound to provide for the safety, and preservation of our Realme of *England*, willing that speedy remedie be had in the premises, have assigned you and six of you, of the which we will that A. B. and C. shall be three to be our Justices to survey the said Walles, streames, Ditches, Banks, Gutters, Sewers, Gotes, Calcies, Bridges, Trenches, Mills, Mildammes, Floodgates, Ponds, Locks, hebbling-weares, and other impediments, lets, and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require, after your wisdomes and discretions. And therein as well to ordaine, and do after the tenor, forme and effect of all and singular the Statutes and ordinances, made before the first day of *March*, in the three and twentieth yeare of our Raigne touching the premises or any of them, as also to inquire by the oathes of the honest and lawful men of the said shire or shires, place or places, where such defaults or annoyances be, as well within the Liberties as without (by whom the truth may the rather be knowne) through whose default the said hurts and damages have happened, and who hath or holdeth any lands, or tenements, or common of Pasture, or profit of fishing, or hath or may have any hurt, losse, or disadvantage by any manner of meanes in the said places, as well neere to the said dangers, lets and impediments, as inhabiting, or dwelling thereabouts, by the said walls, ditches, banks, gutters, gotes, sewers, trenches, and other the said impediments, and annoyances. And all those persons and every of them to tax, assesse, charge, distrein, and punish as well within the meets, limits, and bounds, of old time accustomed or otherwise, or elsewhere within our Realme of *England*, after the quantity of their lands, Tenements, and rents by number of acres and perches, after the rate of every persons portion, tenure, or profit, or after the quantitie of their common of pasture, or profit, of fishing, or other commodities there by such wayes and meanes, and in such manner and forme, as you or six of you, whereof the said A. B. and C. to be three, shall seeme most convenient to be ordained and done, for redresse and reformation to be had in the premises;

And also to reform, repaire and amend the said walls, ditches, bankes, gutters, sewers, gotes, calcies, bridges, streames, and other the premisses in all places needfull: and the same as often, and where need shall be to make new, and to cleanse and purge the trenches, sewers, and ditches in all places necessary; and further to reforme, amend, prostrate, and overthrow, all such Mills, Streams, Ponds, Locks, Fishgarthes, hebbing-weares, and other impediments, and annoyances aforesaid, as shall be found by inquisition, or by your surveying, and discretions to be excessive or hurtful. And also to depute and assign diligent, faithfull and true keepers, bailiffs, surveyors, collectors, expeditors, and other ministers, & officers for the safety, conservation, reparation, reformation, & making of the premises, and every of them, and to hear the accompt of the Collectors and other Ministers of and for the receipt and laying out of the money that shall be levied and paid in, and about the making, repairing, reforming, & amending of the said Walls, Ditches, Banks, Gutters, Gotes, Sewers, Calcies, Bridges, Streams, Trenches, Mills, Ponds, Locks, Fishgarths, Floodgates, & other impediments & annoyances aforesaid. And to distrain for the arrerages of every such collection, tax, and assess, as often as shall be expedient, or otherwise to punish the debtors and detainers of the same, by fines, amerciaments, pains, or other like means after your good discretions. And also to arrest and take as many Carts, Horses, Oxen, Beasts, and other instruments necessary, and as many workmen, and labourers, as for the said works and reparations shall suffice, paying for the same competent wages, salary and stipend in that behalf: And also take such and as many trees, woods, underwoods, and timber, and other necessities, as for the same works and reparations shall be sufficient, at a reasonable price by you, or six of you, of the which we will that A. B. and C shall be three, to be assessed, or limited as well within the limits and bounds aforesaid, as in any other place, within the said County, or Counties neer unto the said places: and to make and ordain Statutes, Ordinances, and Provisions, from time to time, as the case shall require for the safeguard, conservation, redress, correction and reformation of the premises, and of every of them, and the parts lying to the same necessary and behoofeful after the lawes and customes of *Rumney Marsh* in the County of *Kent*, or otherwise, by any wayes and meanes after your own wisdomes and discretions. And to hear and determine all and singular the premises, as well at our suit, as at the suit of any other whatsoever complaining before you or six of you: whereof A. B. and C. shall be three, after the Lawes and Customes aforesaid.

said, or otherwise, by any other wayes and meanes after your discretions. And also to make and direct all writs, precepts, warrants, and other commandements by vertue of these presents, to all Sheriffs, Bailiffes, and other Ministers, Officers, and other persons, as well within Liberties as without, before you or six of you, whereof the said A. B. and C. to be three, at certaine dayes, terms, and places to be returned and received. And further to continue the proceſſe of the ſame, and finally, to do all and every thing and things, as ſhall be requiſite for the due execution of the premiſes, by all wayes and meanes after your discretions. And therefore we command you, that at certaine dayes and places, when and where you or ſix of you, whereof the ſaid A. B. and C. to be three, ſhall think expedient, ye do ſurvey the ſaid Walls, Fences, Ditches, Banks, Gutters, Gates, Sewers, Callicies, Ponds, Bridges, Rivers, Streams, Water-courſes, Mills, Locks, Trenches, Fiſhgarthes, Floodgates, and other lets, impediments, and annoyances aforeſaid, and accompliſh, fulfil, hear, and determine all and ſingular the premiſes, in due force, and to the effect aforeſaid after your good discretions. And all ſuch as ye ſhall finde negligent, gainsaying or rebelling in the ſaid works, reparations, or reformatiſms of the premiſes, or negligent in the due execution of this Commiſſion, that ye do compel them by diſtreſſe, fines, and amerçiaments, or by other puniſhments, wayes or means, which to you, or ſix of you, whereof the ſaid A. B. and C. ſhall be three, ſhall ſeem moſt expedient for the ſpeedie remedie, redreſſ, and reformation of the premiſes, and due execution of the ſame. And all ſuch things as by you ſhall be made and ordained in this behalf, as well within Liberties as without, that you do cauſe the ſame firmly to be obſerved, doing therein, as to Juſtice appertaineth; after the Lawes & Statutes of this Realm, and according to your wiſdomes and discretions.

XI. Saved alwayes to us ſuch fines & amerçiaments, as to us thereof ſhall belong. And we alſo command our Sheriff or Sheriffs of our ſaid County or Counties of _____ that they ſhall cauſe to come before you, or ſix of you, of which A. B. and C. ſhall be three, at ſuch dayes and places, as ye ſhall appoint to them, ſuch and as many honeſt men of his or their Bailiwick, as well within the Liberties as without, by whom the truth may beſt be known, to inquire of the premiſes. Commanding alſo all other Ministers and Officers, as well within Liberties as without, that they and every of them ſhall be attendant to you in and about the due execution of this our Commiſſion. In witneſſe whereof we have cauſed theſe our

Letters Patents to be made. Witness our self at *Westminster*, the day of _____ in the _____ year of our Reign.

XII. Here, every person named a Commissioner, as soon as he shall have notice thereof, shall effectually put his diligence and attendance thereunto: Howbeit, he shall not put the Commission in execution, before he shall (before the Lord Chancellor, or some others, whom he by a *Dedimus* shall thereto assign, or before the Justices of Peace in Sessions of the County, to which the Commission is directed) take the oath following.

XIII. Ye shall swear that you to your cunning, wit, and power shall truly and indifferently execute the authority to you given by this Commission of sewers, without any favour, affection, corruption, dread, or malice, to be borne to any manner of person or persons, and, as the case shall require, ye shall consent and endeavour your self for your part, to the best of your knowledge and power, to the making of such wholesome, just, equal, and indifferent Lawes and Ordinances as shall be made and devised by the most discreet and indifferent number of your fellowes being in commission with you, for the due redress, reformation, and amendment of all and every such things, as are contained and specified in the said commission; And the same lawes and ordinances to your cunning, wit and power cause to be put in execution, without favour, meed, dread, malice, or affection as God you help and all Saints.

XIV. All Statutes of sewers heretofore made are confirmed.

XV. The Commissioners have power to make and ordain Lawes, Ordinances and Decrees, and all and every thing mentioned in their Commission, according to the true meaning thereof, and the same to reform, repel, and amend, and make new, as need shall require.

XVI. If any person, assessed to any lot or charge for any lands, tenements or hereditaments, within the limits of any commission, do not pay the same, according to the ordinance of the Commissioners, by reason whereof the said Commissioners decree the same lands, tenements, or hereditaments from the owner or owners thereof, and their heirs to any other for years, life, or in fee, for the payment of the said lot or charge; Every such Decree and Ordinance by them made, ingrossed in parchment, and certified into the Chancery, under their seals (with the Kings assent thereunto also had) shall binde all such person or persons having any estate in the premises,

nises, in use, possession, reversion or remainder, their heirs and
 feoffees, and shall not be otherwise reformed then in Parlia-
 ment.

XVII. The Kings lands, tenements and hereditaments shall
 be as liable to the Lawes, Ordinances, and Decrees (of the Com-
 missioners, or any six of them, as those of any other.

XVIII. If a Commissioner not sworn, as aforesaid, or being
 sworn and not having lands, tenements, or hereditaments to his
 own use in fee or for life worth 40 marks *per annum*, besides reprises
 (except reliant and free of a Corporation, and having moveables
 worth 100 *l.* or else an utter Barister) do attempt to execute the said
 commission, he shall forfeit for every time so doing 40 *l.* to be divi-
 ded betwixt the King and the prosecutor.

XIX. Avowry and justification of a distress taken, or of any o-
 ther Act done by reason of the said commission, shall be made with-
 out any expressing or rehearsal of any other matter contained in
 this Act, or any commission, Laws or Ordinances thereupon made;
 whereupon the plaintiff shall be admitted to reply, that the de-
 fendant did take the said distress or did any other Act or trespass of
 his own wrong, and thereupon the Issue shall be tried by the verdict
 of twelve men, and not otherwise; And upon the trial, the whole
 matter on both parts shall be given in evidence: And here, if the
 verdict pass for the defendant, or the plaintiff be nonsuit, the de-
 fendant shall recover his treble damages and costs, to be assessed
 by the same Jury or a writ to inquire of damages, as the cause shall
 require.

XX. The Commissioners shall have for their pains 4 *s.* a day,
 and the Clerk 2 *s.* a day out of the taxes aforesaid, &c. Also the
 Commissioners or any six of them have power (at their discretions)
 to allow out of the same taxes more to the Clerk for Writing-books
 and proccesse, and to Collectors and others, that take pains in the
 due execution of the same Commission.

XXI. When any such Commission is directed for the reforma-
 tion of any thing within the Dutchy of Lancaster, the Commissio-
 ners shall be named by the Lord Chancellor, Lord Treasurer, the
 two chief Justices, and the Chancellor of the Dutchy, or any three
 of them, whereof the Lord Chancellor, and Chancellor of the
 Dutchy are to be two: And in this case two Commissions shall issue
 forth, viz. one under the Great Seal, and the other under the Seal
 of the Dutchy.

XXII. The fees for every such commission shall be 2 *s.* 6 *d.* to

the King for the seal, and 5 s. to the Clerk for writing and enrolling it, and no more.

XXIII. A commission of sewers shall continue in force but three years from the *Teste*, and the King (by a *superfedeas* out of the Chancery) may discharge any commission or commissioner at his pleasure.

XXIV. The Laws, Decrees, or Ordinances of the Commissioners shall continue no longer in force then their commission; unless they be engrossed in parchment, and certified under their seals into the Chancery, and the Kings assent obtained thereunto.

XXV. When any such commission is directed into *wales* and any other County Palatine, two Commissions shall issue out, viz. one under the Great Seal, and the other under the seal of such County Palatine, in like manner as is above ordained for the Dutchy of *Lancaster*.

XXVI. The Kings assent aforesaid shall be certified into the Chancery under his privy seal without fee; onely the Clerk shall have two shillings for writing the certificate, and not above.

XXVII. The Chancellors of the Principality of *wales* or any other County Palatine, having the custodie of the Seal there, upon request made, and upon sight of the Commission under the Great Seal, may thereupon make out another under the Seal of such County Palatine according to the tenor of the Kings Commission, and also to the Commissioners therein named, except within the Dutchie of *Lancaster*, for which the provision aforesaid shall be observed.

XXVIII. Stat. 25. H. 8. 10. None shall be compelled to be sworn, or to sit or travell in the execution of any Commission of sewers, unless he be dwelling within the County, whereof he is assigned a Commissioner.

XXIX. If any Commissioner, being required by any, having authority by the Kings Writ or otherwise, to give him the Oath provided by 23. H. 8. 5. shall refuse to take it, upon such refusal or contempt done in Chancery, or returned thither with the said Writ, he shall lose five marks for every such contempt, unless he alleadge sufficient cause in Chancery the same Term (wherein such return is made) for his excuse and discharge in that behalf.

XXX. Stat. 3. 4. E. 6. 8. The Statute of 23. H. 8. 5. is made perpetual, in such manner as it may stand with the sequel and additions hereafter mentioned.

XXXI. All sums of money rated by the Commission of sewers, upon any of the Kings Lands shall be leviabie by distresse or otherwise as may be done in the lands of other persons, and Acquittances under the hand of such Collector or Receiver as shall be appointed by the Commissioners or any six of them shall be a sufficient discharge as well to the Tenants of the Kings Lands, as also to the the Receiuer, Auditor or other officer, for the allowance of the said rates to such tenants.

XXXII Like fees shall be paid for Commissions, and *Dedimus Proestatem*, under the Duchy Seal, as are paid for them obtained under the Great Seal.

XXXIII. A Commission of sewers shall endure five years, unless in the mean time it be superseded.

XXXIV. Stat. 1. M. Parliament, 2. Cap. 11. The Statute of 23. H. 8. 5. and all Commissioners of sewers, shall extend and give authority, that the Commissioners therein named for the County of Glamorgan, or six of them (whereof thre to be of the *Quorum*) shall by this Act, and the said Statute of H. 8. and Commission, have power to make Laws, Ordinances and decrees, within the said County for the redresse and saving of grounds there from hurt and destruction, by reason of sand rising out of the Sea, and driven to land by storms and windes, as they may do by the said former Act and Commission, for avoiding the outrageous course and rage of the sea and other waters.

XXXV. Stat. 13. El. 9. All Commissions of sewers shall continue in force for ten years after the date thereof, unless they be repealed by a new Commission, or a *Supersedeas*.

XXXVI. All Laws, Ordinances, and constitutions, duely made according to the Statute of 23. H. 8. 5. and written in parchment indented, under the seals of the Commissioners, or six of them (whereof one part shall remain with the Clerke of the Commission, and the other in such place, as the Commissioners, or six of them shall appoint) shall without any certificate thereof to be made into the Chancery, and without the Kings assent, continue in force, notwithstanding any determination of such Commission by *Supersedeas* untill the same Laws, Ordinances and Constitutions shall be altered, repealed, or made void by Commissioners afterwards assigned.

XXXVII. After the end of ten years next after the *Teste* of a commission, all Laws, Ordinances, and Constitutions made by virtue thereof, and written in parchment, indented and sealed as afore-

aforesaid, shall, notwithstanding such determination of the commission, continue in force one whole year after the said ten years; During which time the Justices of Peace of the County or Counties whither it is directed, or six of them (two *Quorum*) have power to execute such commission and Laws, &c. as fully as the Commissioners themselves, unlesse in the *interim* a new commission be sent forth.

XXXVIII. No Farmer for years of any lands, &c. lying within the limits of the commission (which shall be chargeable with any laws, &c. made by vertue of any such commission, wherein he shall be a Commissioner) not having an estate of freehold in *England* worth 40 *li. per annum*, shall have any power to sit or intermeddle with any such commission during the time he shall be Farmer, and not have freehold, as aforesaid, but every such commission as to him only shall be adjudged as void.

XXXIX. There shall be no certificate or return of the commission, or of any of their Laws, Ordinances, or doings, by vertue thereof.

XL. The Clerk of the commission shall yearly estreat all issues, fines, penalties, forfeitures and amerciaments, due and answerable to the Queen, her heirs and successors, and shall yearly deliver them into the Exchequer (as Justices of Peace ought to do by vertue of their Commission) in pain of 5 *li.*

XLI. Provided, that the aforesaid Farmer may act in the commission as concerning all other Lands, save only the Lands whereof he is so Farmer as aforesaid.

XLII. Stat. 3. Jac. 14. All Walls, Ditches, Banks, Gutters, Sewers, Gates, Causeys, Bridges, Streams and Water-courses within two miles of *London*, having their fall into *Thames*, shall be subject to the commission of sewers, and to all Statutes made for sewers, and to all penalties in the said Statutes contained.

Sheep.

I. Stat. 3. H. 6. 2. None shall transport sheep beyond sea without the Kings licence, in pain to forfeit them, or the value thereof.

II. Stat. 25. H. 8. 13. None shall keepe in his own possession at any one time above two thousand sheep, in pain to forfeit for every sheep kept above that number 3 *s.* 4 *d.* to be prosecuted for a subject within one year, and for the King within three, But here lambs

lambs shall not be accounted as sheep till Midsummer twelve month after their fall.

III. If any happen to have more sheep then two thousand by reason of any Executorship or marriage, they shall not be impeached by this Law, so that within one year after they put off so many, that at the end of that year they may not have above two thousand: Neither shall a childe during his nonage (nor any person for him) be endamaged by this Act, which childe shall have by legacie above two thousand sheep given him.

IV. Justices of Peace have power to hear and determine the offences committed against this Act, but shall not set a lesse fine then is limited by the same.

V. Every temporall subject may keep upon his own Demesne lands as many sheep as he will, or for the maintenance of his house above the number of two thousand notwithstanding this Act.

VI. How Fould courses and quillers of lands in *Norfolke* and *Suffolke* shall be used, and to which quillerts this Statute shall extend; See the Statute at large.

VII. A thousand of sheep (meant by this Statute) shall be accounted after the rate of six score to the hundred.

VIII. None shall take to Farme above two farmes together, and they are to be seivariate in the same Parish where he dwells, in paine to forfeit 3 s. 4 d. for every weeke he takes the profits of them.

IX. Spiritual persons shall keepe Sheep, as they have used to do notwithstanding this Act.

Sheriffs.

I. Stat. de finibus levatis, Cap. 2. 27. E. 1. Sheriffs shall not be charged with any issues to be levied, nor shall levie any, before they passe out of the Exchequer, being there delivered by the estreats of the Justices, in which estreats every head shall be charged for issues forfeited, like as of amerciaments.

II. If the Sheriff will charge himselfe with the issues of any Recognitor, Pledge or Mainpignor, who is not able to pay them, the Sheriff shall be charged therewith in the Exchequer.

III. Sheriffs shall make tailes of all money received by them or their officers, in paine of great forfeitures: And shall not returne any Mainpignors, Jurors, or others, except (according to the tenor of the Kings writ) they be lawfully impannelled; Neither shall they returne any Freemen as pledges without their consent.

IV. A Baron and a Clerk of the Exchequer shall be sent once every yeare through every County of *England*, to inquire the names of such as have paid the Green-wax that yeare, and shall also view all such Tailles and enroll them, as shall heare and determine complaints made against Sheriffes, and their Clerkes and Bailiffes, that shall do contrary to the premises, and the offenders shall be grievously punished.

V. *Britt. Sup. chart. 8. 18. E. 1.* The people of every County shall have Election of their Sheriffe; where the Sherivaltie is not of fee.

VI. *Britt. Sup. chart. 13. 18. E. 1.* The Commons of every County shall choose such Sheriffes as shall not charge them, nor put any officer into authority for rewards or bribes, nor lodge too oft in one place, neither yet with poor persons or men of Religion.

VII. *The Statute of Sheriffs, 9. E. 2.* Sheriffes shall be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justices; And in the absence of the Chancellor, by the Treasurer, Barons, and Justices.

VIII. None shall be Sheriffe, except he have sufficient land in the County where he is Sheriffe, to answer the King and his people.

IX. No Steward or Bailiffe to a great Lord shall be Sheriffe, except he be out of service, so that he may attend to execute his office for the King and his people.

X. Hundreds also (both the Kings and others) shall be kept by convenient and able persons, having sufficient lands within the same Hundred or in the County where the Hundred is; And they shall be leased to such persons at reasonable rents, to the end they may not extort upon the people: But no Sheriffe or Hundreder shall Lease their office to any other in farme, or otherwise.

XI. Execution of writs, that come to the Sheriffes, shall be done by hundreders sworn and known in full County, and not by any other, unless such hundreders be in default, and then execution shall be done by others meet and sworn, so as the people may know to whom to sue such executions: saving alwayes return of writs to them that ought to have them.

XII. *Stat. de attinētis, 13. E. 2. vide Rastall, Sheriffes, 5.* When Sheriffes and other Ministers being impleaded in the Exchequer (for receiving the Kings debts, by tailles or acquittances, and not acquitting the parties thereof in that Court) are so farre gone in plea, that the great distresse is returned against them, and they come not then in answer, then shall issue out another distresse returnable at a certain day.

day, by which writ Proclamation shall be made in full County, that the defendant appeare at the day and acquit the debt, for which he made such tail or acquittance, at which day if he come not, and the writ be returned, and the proclamation certified, he shall be holden, as convict, and the debt shall be taken of him as of debt recovered in the Kings Court, and dammages shall also be awarded to the Plaintiffe at the discretion of the Barons: Howbeit none shall be hindred by this Statute to complain of Sheriffs and other Ministers when they shall be found in the Exchequer, to make them answer there, as hath been formerly used.

XIII. Stat. 2. E. 3. 4. The Statute of 9. E. 2. is confirmed, and Sheriffs and Bailiffs of fee shall cause their Counties and Bailiwicks to be kept by such as have lands therein.

XIV. Stat. 2. E. 3. 12. From hence forth Hundreds and Wapentakes shall be again adjoynd to the Counties, and shall never hereafter be given or severed there from.

XV. Stat. 4. E. 3. 9. Sheriffs, Escheators, and Bailiffs of Hundreds and Franchises shall have sufficient in the places where they are Ministers, whereof to answer the King and his people, in case any man complain against them.

XVI. Stat. 4. E. 3. 10. Sheriffs and Gaolers shall receive and safely keep such theeves and felons, as shall be delivered them by Constables or Townships without taking any thing for such receipt: And the Justices assigned to deliver the Gaol shall have power to hear such complaints, and to punish such Sheriffs and Gaolers as they shall finde guilty herein.

XVII. Stat. 4. E. 3. 15. Sheriffs shall let their Hundreds and Wapentakes for the old Farme, and not above; And the Justices assigned shall have power to inquire of Sheriffs, and to punish them, if they finde them gnilty herein.

XVIII. Stat. 5. E. 3. 4. None shall be Sheriffe, Under-Sheriff, Escheator, Bailiffe of Franchises, Wapentakes, Hundreds, or Tithings, unlesse he have sufficient lands in the County, whereof to answer the King and his people, if any will complain.

XIX. Stat. 14. E. 3. 7. No Sheriff shall continue in his office above one year, and then another convenient man shall be chosen in his place (having lands sufficient in his Bailiwick) by the Chancellor, Treasurer, and Chief Baron, taking to them the chief Justices, if they be present: And this shall be done yearly at the Exchequer, the next day after All Souls.

XX.

XX. Stat. 14. E. 3. 9. All Wapentakes and Hundreds, which be severed from the Counties, shall be re-joynd to them again: The Sheriffes also shall hold the same in their owne hands, and put in such Bailiffs and Hundreders (having lands in the Bailiwicks and Hundreds) for whom they will answer.

XXI. If Sheriffs let any Hundreds, Bailiwicks, or Wapentakes to farm, they shall let them at the ancient farms, without any increase upon them: And the King and his people shall be hereafter served with sufficient Bailiffs, Hundreders, and their Under-Bailiffs, without employing Out-riders, who have heretofore in diverse Counties notoriously grieved the people: Neither shall any Bailiffe errant be in any County, but only where they have used to be in the time of the Kings Grandfather, and but one Bailiffe errant in one County.

XXII. All such as have Bailiwicks or Hundreds in fee, shall put in such Bailiffs, for whom they will answer, and if they let them to farm, they shall take but the old farme without any increase.

XXIII. The Justices of both the Benches, the Barons of the Exchequer, and Justices assigned shall enquire after and punish the offenders of this Ordinance, at their discretion, according to Law and reason.

XXIV. If the Sheriffes or their Fermors be found in default, and be thereof attainted, the Wapentakes and Hundreds shall be seised into the Kings hands, and by the Justices let to others: Such Officers likewise shall be imprisoned, and there remain, untill they make fine and ransom to the King, according to the quantity of the trespassse, and yet they shall answer the King the whole farm.

XXV. Lords having hundreds or Wapentakes in fee, shall place therein sufficient Bailiffs to answer the King and his people; and if their Bailiffs offend against this Ordinance, such Bailiffs shall be called to answer, whereof if they be attainted, they shall have such punishment as the Law requireth, and shall be also put out of their places, and others put in their places by the said Law.

XXVI. Stat. 28. E. 3. 7. No Sheriffe shall continue in his office above one year.

XXVII. Stat. 28. E. 3. 9. No writ shall be hereafter directed to the Shriffe to charge a Jury to indict any.

XXVIII. Stat. 42. E. 3. 9. pars inde. No Shriffe, Under-Sheriffe, or Sheriffes Clerk shall continue in their office above one year.

XXXIX. Stat. 1. R. 2. 11. None having been Sheriff for one whole year shall be Sheriff again within three years then next ensuing, if there be other sufficient in the County, to answer the King and his people.

XXX. Stat. 1. H. 4. 11. Because Sheriffs did much oppress the people, for that they were charged with the ancient farms of the Counties, whereof a great part had been granted to Lords and others: hereafter the Sheriffs upon their accounts in the Exchequer shall have allowance (by their oaths) of the issues of their Counties: And if from henceforth any Sheriffe extort upon the people, and be thereof attainted, he shall be punished at the Kings will.

XXXI. Stat. 4. H. 4. 5. Every Sheriff of England (*serra demurant*) shall abide in proper person within his bailiwick for the time that he shall be such Officer: He shall not let his Bailiwick to farm: And he shall be sworn to do the same in especial amongst other Articles comprised in his Oath.

XXXII. Stat. 1. H. 5. 4. They who have been Sheriffs Bailiffs for one year, shall not bear that office by three years next following, except in Sheriffwicks inheritable.

XXXIII. No Under-Sheriffe, Sheriffs Clerk, Receiver, or Sheriffs Bailiffe shall be Attourney in any of the Kings Courts, so long as he bears such office under the Sheriff.

XXXIV. Stat. 4. H. 5. 2. Sheriffs of England shall have allowance upon their accompts (by their oaths) of things casual, as of estates that be not in farm or demand, but for all things that run in yearly farms or demands, they shall be charged to the King, at times past.

XXXV. Stat. 23. H. 6. 8. The Statutes of 14. E. 3. 7. 42. E. 3. 9. and 1. R. 2. 11. shall be duly observed, except by officers in London, and where any hath freehold or inheritance in the Sheriffs office.

XXXVI. No Sheriffe or any of his Under-officers (except before-mentioned) shall act contrary to the said Statutes, in pain to forfeit yearly 200 l. and every pardon granted them in that behalf for the said forfeiture, and every patent made for that purpose shall be void, notwithstanding the Clause or word of *non obstante*, be inserted in any of them: And whosoever shall hereafter act by any such Patents, shall be for ever after disabled to beare the office of Sheriffe in England.

XXXVII. The Forfeiture abovesaid is to be divided betwixt the King and the Prosecutor.

XXXVIII.

XXXVIII. Stat. 23. H. 6. 10. No Sheriff shall let to farm his County or Bailiwick, neither shall he, his Under-sheriff, or any other Bailiff, return upon Enquest any Bailiff, Coroner, Steward, or any servant of theirs, neither shall they take any thing for arresting, or for omitting to arrest, save onely the fees that follow, *viz.* for the Sheriff 20 *d.* for the Bailiff that makes the arrest 4 *d.* and for the Gaoler (when the party is committed) 4 *d.* Neither shall any Sheriff, Under-sheriff, Sheriffs Clerk, Steward or Bailiff of Franchise, servant, Bailiff or Coroner, take above 4 *d.* for the copy of a Pannel.

XXXIX. Sheriffs and other Officers shall set to bail persons by them arrested upon reasonable sureties, having sufficient within the County, (persons in Ward by Condemnation, exemption, *Capias Utlagatum*, or *Excommunicatum*; surety of peace, or committed by command of the Justices, and vagabonds refusing to serve, only excepted.)

XL. The said Officers shall take no Bond of any arrested person, but for appearance, and to themselves only, and shall not take for it more then 4 *d.* and Bonds otherwise taken (*colore officii*) shall be void.

XLI. Sheriffs shall make Deputies in the Kings Courts at *Westminster*, to receive Writs to be delivered unto him.

XLII. Sheriffs, Under-sheriffs, Clerks, Bailiffs, Gaolers, Coroners, Stewards, Bailiffs of Franchises, and all other Officers, which do contrary to this Act, shall forfeit for every such offence treble damages to the party grieved, and besides, 40 *li.* to be divided betwixt the King and the prosecutor.

XLIII. Justices of Assise of both the Benches, and of Peace, have power to hear and determine these offences.

XLIV. If the Sheriff return a *Capi Corpus*, or *Reddidisse*, he shall be chargeable to have the body of the party ready at the day of the return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Gaole of the Kings Palace at *Westminster*, shall not be prejudiced by this Ordinance.

XLVI. Stat. 1. E. 4. 2. Sheriffs shall deliver all Indictments and presentments taken in their turns unto the Justices of Peace at their next sessions, in pain of 40 *li.* who shall arreign, deliver, make Process, and proceed thereupon, as if they were taken before them, and shall deliver indented estreats of the fines to the Sheriff, to be levied to his own use: And here, if the Sheriff levie any fine, or commit any to prison by colour of any such indictment or presentment, otherwise then by Warrant from the Justices as aforesaid, he shall

shall forfeit 100 l. Howbeit Sheriffs of *London* shall not be restrained by this Act, nor such as have had fines formerly granted unto them.

XLVII. Stat. 12. E. 4. 1. If a Sheriff execute or return any writ, precept, or warrant into any of the Kings courts in *Michaelmas* Term, after the sixt day of *November* (being commonly the day of the date of their patent), and before any writ of discharge is delivered unto him, he shall not thereby incur the penalty of 200 l. ordained by the Statute of 23. H. 6. 8. albeit he doth execute his office after the returns of *Crastino Martini*, *Octabis Martini*, and *Quindena Martini*, after his year is out.

XLVIII. Stat. 17. E. 4. 6. Every old Sheriff may execute his Office during *Michaelmas* and *Hilary* Terms, if he have not before a writ of discharge, without danger of incurring any forfeiture or pain in respect thereof.

XLIX. Stat. 11. H. 7. 15. No Sheriff, Under-sheriff, or Sheriffs Clerks shall enter into the County-Court any plaint in the absence of the plaintiff, or his Attourney, nor above one plaint for one cause, in pain of 40 s. to be divided betwixt the King and the prosecutor.

L. A Justice of Peace upon complaint made hath power to examine the abovesaid Officers and plaintiff concerning the premises, and finding any of the same Officers guilty, shall within three monthes after certifie that examination into the Exchequer, in pain of 40 s. upon which examination the said Officers shall be convicted to pay the abovesaid forfeiture of 40 s. without further enquiry.

LI. The defendant in the County-Court shall have lawful summons, and if the Bailiff be therein found faulty, he shall forfeit 40 s. And here also examination and certificat shall be made by a Justice of Peace, as aforesaid.

LII. Before the Sheriff issue forth any Estreats out of the County-Court, two Justices of Peace (1 Qu.) shall view them, and there being two parts of them indented and sealed by the said Justices and Sheriff, one of them shall remain with the Justices, and the other with the Sheriff, and here the Officer that collects them shall make oath before the said Justices to levie no more than what is contained in them, in pain of 40 s. who may be convicted of that offence by the examination of one Justice of Peace as aforesaid.

LIII. The Justices of Peace which are to have the controulment of the Sheriff and his Estreats shall be named at *Michaelmas* session.

sions by the *Custos Rotulorum*, or (in his absence) by the eldest of the *Quorum*. And the said Justices of Peace upon information of the party grieved may make out like proceſſe againſt the offenders, as in Actions of treſpaſs.

LIV. Stat. 6. H. 8. 13. The Under-ſheriff and all other Officers of Sheriffs may continue and execute their offices within the County of the Town of *Briſtow*, from year to year, in ſuch ſort as the like do in *London*, without any forfeiture, notwithstanding the Statutes of 42. E. 3. 9. and 23. H. 6. 8.

L V. Stat. 34. H. 8. 16. Every Sheriff, (his Under-ſheriff or Deputy) ſhall at his day of prefixion in the Exchequer immediately after he is ſworn to accompt, make alſo oath to deliver into that Court Schedules conteining the particular ſums of money, which he hath levied, or might have levied (and as neer as may be what perſons or lands ought to be charged therewith) and after ſuch Schedules delivered, caſt, and rated, that Court ſhall have power to make him allowance of ſo much money, as the Farmes where-with he is charged amount to more then the ſaid particulars: And for ſuch parcels as they ſo amount to more, the Court ſhall iſſue out proceſſes for the recovery thereof for the Kings uſe.

LVI. Concerning ſummes reſpected to the Sheriffs upon their petitions, they ſhall from henceforth (upon their oaths) be diſcharged hereof, and proceſs ſhall iſſue out againſt the Debtors.

L VII. Sheriffs (upon their accompts) ſhall have allowance for executing the Kings writs and ſummons, levying of Eſtreats coming to the Exchequer to make the proffers and view of their accompts, and for expences at the Aſſizes, Gaol-deliveries, Oyer and Terminers, and the like; ſo as the total of all ſuch allowances to all Sheriffs, exceed not 342 l. 6. s. 8. d.

L VIII. Stat. 2. 3. E. 6. 4. The ſaid Act of 34. H. 8. 16. ſhall be clearly void to all intents and purpoſes, other then ſuch as are hereafter in this Act ſpecified.

LIX. All Sheriffs ſhall have ſuch Tailles of reward and other allowances, as they had before the making of the Statute of 34. H. 8. 16. or elſe to be at their Election to account and all other things to do, according to the ſaid former Act: And every Sheriff that ſo ſhall accompt and take no Tail of reward, ſhall be intreated in the Exchequer in all things, as if the ſaid former Act were in force.

L X. Tailles of reward (without any warrant) ſhall be ſtricken, as they were before the making of the ſaid Act, and ſhall be delivered to the Sheriff, or his Attorney, without any further charge.

LXI. She-

LXI. Sheriffs of Counties where no Tailles of reward have used to be stricken, shall be allowed their expences upon petition with a bill thereof thereunto annexed, being verified by the Oath of the Sheriff, his Under-sheriff, or Attourney.

LXII. Sheriffs, who take no Tailles of Reward shall be discharged (upon their accompts) of all such farmes, goods, chattels, profits, casualties, and sums of money, as they cannot levie or come by. And all other Sheriffs, who take Tailles of reward shall also be discharged of all such profits and summes, as aforesaid, except onely of Vicontiels, wherewith they shall be chargeable, as they were before the making of the said former Act.

LXIII. Sheriffs also shall have allowance (in their accompts) of all such summes of money, as they shall make true petition of, for such possessions, as are come to the Kings hands (by unity of possession or otherwise) out of which any part of such Vicontiels were leviable.

LXIV. Provided, that every Sheriff (his Under-sheriff or Deputy) shall at his day of prefixion in the Exchequer immediately after he is sworn to accompt, make also oath to deliver into that Court Schedules conteining the particular summes of money, which he hath levied, or might have levied, and (as neer as may be) what persons or lands ought to be charged therewith; And after such Schedules delivered, cast and rated, that Court hath power to make him allowance of so much money, as his charge amounts to more, then the said particulars; And for such parcels as they so amount to, the Court shall issue out processe, or take some other fit course for the recovery thereof to the Kings use: And if they employ any Commissioners to inquire after the same, they shall allow them their reasonable costs and charges at their discretions.

LXV. Stat. 2. 3. E. 6. 34. Sheriffs of Northumberland shall enter into Recognisance to be accountable for their offices, as other Sheriffs do in pain of 100 l. Howbeit they shal not be chargeable but onely for their owne yeare.

LXVI. Stat. 1. M. Parl. 1. Sessi. 2. Cap. 8. No Sheriffe shall be Justice of Peace during his Sherivaltie, notwithstanding the Statute of 1. E. 6. 7. (which see in discontinuance of Processe) and all acts then done by him, as Justice of Peace shall be void.

LXVII. Stat. 8. El. 16. Whereas there hath been heretofore but one Sheriff chosen for each two of the Counties of Surrey and Suffes, Essex and Hertfort, Somerset, and Dorset, warwick, and Lecester, Nottingham, and Derby, Oxon and Berks, hereafter there shall be one Sheriff chosen for each of the said Counties, who shall

be accountable and used in the Order of his accompt, and all other things and allowances in the Exchequer, and in all other Courts and Places, as is used for Sheriffs in like places; And the proffers of the said Counties shall be forthwith severed by the said Court and the officer thereof; And also the *Tales* of Reward divided accordingly.

L X V I I I. The Barons of the Exchequer calling to them the officers of the Treasurers Remembrance, shall order the speedie payment of such Creation-Money, Fees, Annuities, and other summes of money, as ought to be paid by the said Sheriffs.

L X I X. Provided, that the said Sheriffes shall pay for fees but the one halfe of what was formerly paid by them, when they were Sheriffes of two Counties.

L X X. Stat. 13. El. 12. The Statute of 8. El. 16. is made perpetuall, except for the Counties of *Surrey* and *Sussex*.

L X X I. Stat. 27. El. 7. No Sheriffe, Coroner or other person, having returne of writs shall returne any Juror dwelling out of a libertie, without the true addition of the place of his abode at the time of such returne, or within a yeare before, or some other addition, by which the partie returned may be knowne, nor any Juror within a libertie, with other addition then shall be given him by the Bailiffe thereof and his Deputie under his or their hand.

L X X. No Bailiffe of a libertie or his Deputy shall returne any Juror or deliver to the Sheriff or his Deputie the names of any to be returned upon any Panel or Iurie without their true addition under his or their hand, of their abode, at the time of such returne and within one yeare before or some other addition, whereby the partie may be knowne; Neither shall any Issues go forth again any person otherwise returned in the Original Panel or *Tales*.

L X X I I I. No Sheriffe, Bailiffe, or other shall levie any issues so estreated of any other person, then of such as by the estreat ought of right to be charged therewith, in pain that every Clerk who shall write or deliver or procure such estreat to be delivered or put in ure, and every other person offending contrary to the meaning of this Act shall forfeit 5 marks to the Queen, and as much to the partie grieved, to be recovered by action of debt, &c.

L X X I V. Justices of *Oyer* and *Termner*, Assize and Peace have power to hear and determine the offences aforesaid, and to issue forth Proesse for the levying of the said forfeitures.

L X X V. Stat. 27. El. 12. Every Under-sheriffe before he intermedles with his office, shall before one of the Justices of Assize or the *Custos Rotulorum* of the Countie, or two Justices of the Peace there (1. Qu.) take the oath of Supremacy (which see in *Crown*) and all

the oath hereafter written, in pain to forfeit treble damages to the partie grieved; if he commit any Act contrary to the said oaths, or either of them.

LXXVI. The form of the other oath is as followeth.

LXXVII. I A. B. shall not use or exercise the office of Under-sheriff corruptly, during the time that I shall remain therein, neither shall or will, accept, receive, or take by any colour, meanes or device whatsoever, or consent to the taking of any manner of fee or reward, of any person or persons for the impanelling, or returne of any Inquest, Jurie or Tales in any Court of Record for the King, or betwixt partie and partie above two shillings, or the value thereof, and such fees as are allowed and appointed for the same, by the Lawes and Statutes of this Realm: But will according to my power truly and indifferently with convenient speed impanell all Jurors, and returne all such writ or writs touching the same, as shall appertaine to be done by my duty or office, during the time that I shall remain in the said office: So help me God.

LXXVIII. No Bailiffe of a Franchise, Deputy or Clerke of a Sheriffe or Under-sheriffe, shall intermedle with their severall offices before they have taken the said oaths, as aforesaid, (altering onely the terms office) in pain to forfeit 40 l. to be divided betwixt the King and the prosecutor.

LXXIX. Iustices of Assize and Iustices of Peace in Sessions have power to heare and determine the defaults and offences aforesaid, and upon conviction to award proceffe accordingly.

LXXX. Stat. 19. El. 4. No Sheriffe, Under-sheriffe, Bailiffe of a Libertie, or any of their Deputies shall either directly or indirectly take more for serving an extent or execution, then after 12 d. for every pound under 100 l. and 6 d. for every pound above 100 l. in pain to forfeit treble damages to the party grieved; and besides 40 l. betwixt the Queen and the Prosecutor.

LXXXI. This Act shall not extend to Fees of Executions within Cities or Corporations.

LXXXII. Stat. 43. El. 6. If any Sheriffe or other taking upon him to breake writs do make any warrant for summons, or upon any writ proceffe or suit, or for any arrest or attachment of Bodie or Goods, against any person, to appeare in any of the Queens Courts, (nor having the Originall Writ or Proceffe warranting the same) upon Complaint thereof to the Iustices of Assize of the Countie where the offence was committed or the Judges of the Court, out of which the Proceffe issued, the partie so offending and all procurers thereof shall be sent for before the same Iustices or Judges by attach-

ments or otherwise, and shall be examined upon their oaths concerning the same.

L X X X X I I I. If the offence shall be confessed or proved by sufficient witnesses, the said Justices or Judges, shall forthwith commit the offender to the Gaole of the County or Court where he shall be examined, from whence he shall not be enlarged untill he have paid the party grieved 10 *li.* and all his costs and damages, to be assessed by the same Justices or Judges, and likewise 20 *li.* to the Queen,

L X X X I V. Stat. 21. Jac. 5. A *Quietus est* shall be a sufficient discharge for a Sheriff, unless he be questioned within four years after the grant thereof.

L X X X V. Every Officer or Minister, that shall send out, or cause to be sent out any Writ or proceffe, or by whose default any Writ or Proceffe shall be sent out contrary to this Act, shall for every such offence forfeit and pay to the party greved 40 *li.* and his costs and damages, to be recovered by action of debt, &c.

Ships.

I. Stat. 38. E. 3. 8. No owner of a ship shall forfeit the same for any small thing put thereinto (without his knowledge) not customed for.

I I. Stat. 5. R. 2. 3. None of the Kings subjects shall export or import any Merchandise but only in ships of the Kings allegiance, in pain to forfeit all Merchandise otherwise conveyed, or the value thereof, whereof the finder shall have a third part of the Kings gift.

I I I. Stat. 6. R. 2. 8. The Statute of 5. R. 2. 3. shall only have place where able and sufficient ships of the Kings allegiance may be found, otherwise the Merchants may hire other ships, the said Statute notwithstanding.

I V. Stat. 14. R. 2. 6. English Merchants shall freight (within the Realm) in English ships, and not in ships of strangers, so as the owners of such English ships take reasonably for their freights

V. Stat. 4. H. 4. 20. *Pars inde.* All Merchandize imported and exported shall be charged and discharged in great Sea-Ports, and not in Creeks and small arrivalls, in pain to forfeit to the King all Merchandize otherwise charged or discharged, except any vessel shall be driven into such small Creeke by Tempest.

V I. Stat. 15. H. 6. 8. None shall ship any wooll, woolfels, or other Merchandise pertaining to the Staple, but only at the Keys and

and Ports, assigned by the Statute where the Kings weights and wools are set.

VII. Every Master of a Vessel, wherein such Merchandize is shipped, shall give good surety to the Customers there, to transport the same to the staple at *Calais*, and to bring a certificate thereof from thence, saving to all Merchants of *Jeane, Venice, Tuscanie, Lombardie, Florence, and Catalonia*, and to the Burgeses of *Barwick*, their liberty formerly granted by Statute.

VIII. Stat. 4. H. 7. 10. No *Gascoigne* or *Guian-wine*, or *Tholouse-wood* shall be imported into this Realm, but in *English*-vessel, in pain to forfeit the same.

IX. None shall freight in any strangers ship any merchandize, to be imported or exported into or out of this Realm, if he may have sufficient freight in the same Port in a Denizenship, in pain to forfeit all Merchandize otherwise shipped, to be divided betwixt the King and the seisor.

X. This Act shall not extend to any ship (having Merchandize) forced by tempest into any part within this Realm, so as the owner thereof make no sale of such Merchandize within this Realm, save onely for necessary victual, or repairing of the ship and tackle.

XI. Stat. 32. H. 8. 14. *Gascoigne* or *Guian-wines*, or *Tholouse-wood* may be imported into this Realm, in any other Ships as well as *English*, notwithstanding the Statute of 4. H. 7. 10.

XII. Stat. 1. El. 13. The Statutes of 5. R. 2. 3. and 4. H. 7. 10. are made void.

XIII. If any owner of any Merchandize shall (in time of Peace) embark or unload any part thereof (*Mastraff, Pitch, Tar, and Corn* onely excepted) out of or into any other then an *English* Bortome, he shall pay Custome to the Queen for the same, as an alien.

XIV. No *English* man shall cross the Sea with any Hoys or Plats in pain to forfeit the same, to be divided betwixt the King and the prosecutor.

XV. Provided, that Merchants at their severall shippings of cloth or wool out of *Thames* (to be twice in the year at the most) may imbarke Merchandize in a strangers ship, so long as there are not *English* ships enough and convenient to convey such Merchandise into *Flanders, Holland, Zealand, or Brabant*, without paying any greater Custome, then *English* men use to do: Also *Bristol* men shall do the like, by reason of greater losses lately suffered by them.

XVI. Stat. 5. El. 5. Any Subject may export out of this Realm without

without paying custome for the same: *But this Act was expired by the Queens death.*

XVII. None shall set price, make restraint, or demand toll of any sea-fish imported into this Realm by any of the Queens subjects, in pain to forfeit the value of such fish to set price of, restrained or tolled.

XVIII. This Act shall not restrain the Inhabitants of Hull to take toll and custome, according as is limited by the Statute of 33. H. 8. 33. (*which see in Hull 1.*) Howbeit they shall not take liberty thereby to transport hering or salt fish.

XIX. No purveyor shall take any sea-fish of any that shall take the same in any subjects ship, in pain to forfeit the double value thereof: Howbeit Composition-fish (of people travelling into Ireland) due to the Queen and other persons shall be paid, as formerly.

XX. No hering shall be bought of a stranger, or out of his bottom, being not sufficiently salted, pickled, and casked, in pain to forfeit the same, or the value thereof; except such vessel be driven in by shipwrack.

XXI. No fish, victual, wares, or things shall be transported in a strangers bottom from one Port to another within this Realm, in pain to forfeit the same or the value thereof.

XXII. Hoves and Plats may cross the seas as far as *Cane in Normandie*; or Eastward, as far as *Norway*, notwithstanding the Statute of 1. E. 13.

XXIII. All Cod and Ling shall be brought into this Realm loose and not in barrel, in pain to forfeit the same, or the value thereof.

XXIV. No wine of the growth of *France*, or any Woad of *Thoulouse* shall be imported into this Realm in any other vessel then English, in pain to forfeit the same, according to the Statute of 4. H. 7. 10. Onely into *Wales* *Rothel*-wines may be otherwise imported.

XXV. Owners of Ships, and all others using the trade of the sea-fishing or otherwise, and every Gunner and Ship-wright may take Apprentices, to be bound for ten yeares, or under, by Indenture, to be enrolled in the same Corporation, if the Master dwell in one, but if not in the next.

XXVI. So much of the Statute of 5. 6. E. 6. 14. (*which see in Foresters*) and all of all other Statutes, as concerns the buying of sea-fish unsalted or mud-fish, or any wine, oil or salt, to be brought in English vessel to any Port within this Realm, shall be void.

XXVII. None

XXVII. None shall eat flesh upon dayes usually observed as fish-dayes, in pain of 3 *l.* or three moneths imprisonment without bail. And they that wittingly suffer any such offence to be done in their house and do not discover it to an Officer, that may punish it, shall forfeit 40 *s.*

XXVIII. These forfeitures shall be divided into three parts, whereof the Queen shall have one, the poore of the Parish another, and the Informer the third.

XXIX. Notwithstanding this Act licences may be granted upon just causes, on these conditions following, *viz.* to a Peer or his Lady, if he pay yearly for it to the poor of the Parish where he dwells 26 *s.* 8. *d.* to a Knight or his Lady, if he pay 13 *s.* 4. *d.* and to any other inferiour person, if he pay 6 *s.* 8. *d.* But here no licence shall extend to the eating of Beef at any time, or to the eating of Veal betwixt *Michaelmas* and *May-day*.

XXX. The Minister of the Parish may grant a licence to a sick person, during the time of his sicknesse, and if the sicknesse continue above eight dayes, he shall in the presence of one of the Churchwardens register the same, and have 4. *d.* for the registering of it: But here, if he grant the licence without just cause, he shall forfeit five marks.

XXXI. Wines shall be sold (by retail) at such prices, as shall be limited by the Queens Proclamation with the assent of such Lords and others as by the Statute of 28. H. 8. 14. (*which see in Wines*) are authorized to set price upon Wines in gross.

XXXII. The Statute of 18. H. 6. 19. (*which see in Captains*) ordained against souldiers, shall extend to Mariners and Gunners.

XXXIII. These offences shall be heard and determined, as followeth, *viz.* being committed upon the main sea without the limits of the Cinque Ports, by the Lord Admiral, his Lieutenant, or Deputies, or by Justices of *Oyer and Terminer*, according to the Statute of 28. H. 8. 15. (*which see in Trial*) but if without any Port and yet within the jurisdiction of any of the Cinque Ports, then by the Lord Warden of the Cinque Ports, or his substitute, or by Justices of *Oyer and Terminer*, according to the said Statute of 28. H. 8. Or if in a Port, or elsewhere upon the Main-land, then by Justices of Peace or other Chief Officers in Sessions within their severol jurisdictions: And here the trial may be by the oaths of twelve men, or otherwise by information; And for levying the said forfeitures the said officers and Justices may issue out proceffe at their discretion.

XXXIV.

XXXIV. The time limited for the prosecution of this Action is, for a subject six moneths, and for the Queen a whole year.

XXXV. Every such person licenced to eat flesh as aforesaid (except for sicknesse, age, or other impediment) shall have at his Table, for every dish of flesh, one dish of fish upon like pain, as for eating flesh upon Fish-days.

XXXVI. If any shall by preaching or otherwise avouch or notify that any eating of fish, or forbearing of flesh is necessary for the saving of the soul, or the service of God, otherwise then as other politick Laws be, shall be punished as a spreader of false news. *which see in News.*

XXXVII. Fishermen or Mariners shall not be compellable to serve as souldiers, otherwise then as Mariners, unlesse for some speciall exploit, or to withstand an invasion, or subdue a Rebellion, or bound so to do by tenure, custome or covenant.

XXXVIII. The liberties and right of others are saved.

XXXIX. Provided that no Fishermen using the Sea, shall be taken by the Queens Commission to serve as a Mariner at Sea, unless the said Commission be first brought by the Queens Taker to the two next Justices of Peace, to the end they may choose and return such sufficient number of able men, as in the same Commission shall be contained.

XL. The liberties of the *Cinque Ports* and great *Yarmouth* are saved, other than for buying of strangers and taking of toll, as the same are before prohibited.

XLI. This Act shall not prejudice the Authority or Jurisdiction of the Lord Warden of the *Cinque Ports*.

XLII. Wine may be imported into the Isle of *Man* and *Chepflow* in strangers bottoms, not exceeding 100 Tunne in one year in each of them, notwithstanding this Act. The like may also be done in all other parts of *Wales* (besides the *Rochel-Wines* before permitted) so as the quantity exceed not 100 tunne in one year, as before.

XLIII. The Queens duties for the 300 tunne (mentioned in the last clause) are saved.

XLIV. The Lord Admiral or his substitutes shall have no greater authority then they had before this Act, save only for punishment of offences as aforesaid.

XLV. Stat. 8. El. 3. None shall transport sheep beyond sea, in pain to forfeit all his goods, to suffer one years imprisonment, and to have his hand cut off in some open Market, and for the second offence to suffer death as a felon.

XLVI.

XLVI. This Act shall not extend to corruption of Blood, or forfeiture of Dower.

XLVII. Justices of Gaol-delivery and of Peace have power to heare and determine this offence.

XLVIII. The aforesaid Goods forfeited shall be divided betwixt the Queen and the Prosecutor.

XLIX. Stat. 13. El. 11. So much of the Statute of 5. El. 5. as concerns the transporting of herring and sea-fish by subjects borne, and for not paying of Custome for the same shall be revived, so as it be in vessel with cross-sails.

L. No vessel (called Catch, Mongers, or Picard) shall upon the Coasts of *Norfolke* and *Suffolk* between the 14. of *Septem.* and the 14. of *Novem.* from sun-setting to sun-rising anchor upon the Main sea or in the trade of fishing, in pain to forfeit their vessel or the value thereof, to be divided betwixt the Queen and the Corporation of *Great Yarmouth*, to be employed towards the damages of the party grieved, and the repairing of the Haven there, and to be recovered by seisure, or otherwise by bill, action, &c.

LI. A Barrel of 31 Gallons of wine-measure (being about 28 Gallons by the old standard) which will contain usually 1000 full herring at least, shall be taken for the Assize of herring-barrels.

LII. No forreigne fish shall be dried in *England* to be sold, in pain to forfeit the same or the value thereof, to the seisor and Prosecutor.

LIII. Stat. 13. El. 15. So much of the Statute of 5. El. 5. as permits Crossing the Seas with Hoyes and Plats is repealed, and the Statute of 1 El. 13. that prohibits them, is revived.

LIV. Stat. 35. El. 7. The abovesaid penalty of 3. *l.* (limited by the Statute of 5. El. 5 is mitigated to 20. *s.* and that of 40. *s.* to 13 *s.* 4. *d.*

LV. Stat. 39. El. 10. The Queens Subjects (being Owners of ships with Cross-sails) may take into their ships any fish, which any Alien shall buy of any subject, and may transport the same beyond sea in their said ship, so as such Aliens pay the Custome due for the same.

LVI. All Aliens shall pay like Custom for salt fish and herring by them imported into this Realme, as a subject of *England* payes there, from whence the said fish or herring was brought, besides the Queens ordinary Custome.

LVII. None shall offer to sell any unwholesome fish (being warned thereof by the officer) in pain to forfeit the same: And be-

ing

ing an Alien he shall forthwith export it, upon the like pain.

L V I I I. Stat. 43. El. 9. No Ordinance made by the Fish-mongers in *London* or any other Corporation restraining any Coast-man, Fisherman, or other from taking, bringing in, putting to sale or buying of salt-fish or herings (being wholesome) shall be put in execution, in pain of 100*l*.

L I X. Stat. 1. Jac. 24 None shall make, or cause to be made any cloth for Ship-Sailes (called Mildernix and Powle-davis) but such as now use the same trade, or shall be hereafter trained therein by the space of 7 years together, in pain to forfeit 20*s*. a moneth.

L X. The said Clothes shall be made of good Hemp, and 33 yards long, and 3 quart. of a yard broad; And they shall not be put to sale before the Stuff thereof be well beaten, scoured and breached, and the cloth well driven with a brasen or Iron Shuttle, in pain to forfeit for every Cloth otherwise made, 5*s*.

L X I. The forfeitures aforesaid shall be divided betwixt the King and the Prosecutor.

Silke.

I. Stat. 19. H. 7. 21. None shall bring or cause to be brought into *England* any Silke wrought (by it selfe or with other stuffe) out of *England*, in Riband, Laces, Girdles, Corfes, Calles, Corfes or Tissues, or Points, in pain to forfeit the same or the value thereof to be divided betwixt the King and the Seisor or Prosecutor: But all other Silks (both wrought and raw) may be imported and sold at pleasure.

Southampton.

I. Stat. 11. H. 7. 5. Every man may pull downe the weares and engines in the Haven of *Southampton*, betweene *Calshord* and *Red-bridge*; And whosoever levieth any other there, shall pay 100*l*. to the King.

I I. Stat. 14. H. 8. 13. A Confirmation of 11. H. 7. 5. and the same made perpetual.

I I I. Stat. 4. Jac. 10. An Act was made for the confirmation of some part of a Charter granted by H. 6, to the Major, Bailiffes, and Burgessees of *Southampton*, and for relief of the towne. See the Statute at large.

Spice.

I. Stat. 1. 19. Jac. 19. All Spice, Druggs, and other Merchandise Garbleable, shall (for the fees usually allowed) be sufficiently cleansed and Garbled, and afterwards sealed by the Garbler (thereunto appointed) or his Deputy, before they be sold in pain to forfeit them or the value thereof: Also such as (after Garbling) shall be again mixed with Garble, shall likewise be forfeit.

II. It shall be lawfull for the said Garbler to search in Shops, Cellars, Ware-houses, and other places for wares ungarbled, and if he finde any such, to cause them to be garbled.

III. The forfeiture of this Act are to be divided betwixt the King and the Prosecutor.

IV. Spices or other Garbleable Merchandise imported, and afterwards within eight moneths exported without being sold or garbled, shall not be within the danger of this Act.

Spiritual Laws.

I. Stat. 13. El. 12. Every spiritual person (under the degree of a Bishop) pretending to be a Priest or Minister of the word by any other forme of Institution or Consecration, then that established by E. 6. or now used, shall before Christmas next (in the presence of the Bishop or Guardian of the Spiritualities of the Diocese where he hath his Benefice) declare his assent, and subscribe to the Articles of Religion (put forth by the Queens Authority) and shall bring from such Bishop (or Guardian) under his seale a testimonial thereof, and publicquely (on some Sunday at evening prayer) where his Benefice is, read the said testimonial and Articles, in pain to be *ipso facto* deprived of all his spiritual promotions, as if he were dead.

II. If any Ecclesiastical person (having a Benefice) shall maintain any Doctrine repugnant to the said Articles, and being therefore convented before the Bishop, Ordinary or High Commission, shall persist therein, or after revocation thereof shall affirme the same again, it shall be lawfull for such Bishop, Ordinarie, or High Commission to deprive him.

III. None shall be admitted to a Benefice with Cure, unlesse he be a Deacon and of the age of 23 yeares, and shall subscribe the said Articles in the presence of the Ordinarie, and publicquely reade them

them in the Church of his Benefice, and declare his assent thereunto.

I V. Every person hereafter to be admitted to a Benefice with Cure, shall within two moneths after his Induction publickly read the said Articles in the Church whereof he hath the Cure, in Common Prayer-time, with declaration of his assent thereunto, and be admitted to administer the Sacraments, within one year after his said induction (if he be not admitted before) in pain upon every such default to be deprived *ipso facto*.

V. None shall be made Minister or admitted to Preach or administer the Sacraments under the age of 24 years, nor unlesse he first bring to the Bishop (from foure known to the Bishop to be of sound Religion) a Testimonial of his life and Doctrine expressed in the said Articles, and be able to render an account of his Faith in Latin according to the said Articles, or have special gift or ability to be Preacher: Neither shall any be admitted to be a Deacon or Minister, unlesse he first subscribe the said Articles.

V I. None shall be admitted to a Benefice with Cure of 30 *li. per annum*, in the Queens books, unlesse he be a Batcheler of Divinitie or a Preacher lawfully allowed by some Bishop, or one of the Universities.

VII. All Admissions, Institutions, Inductions to Benefices, and all tolerations, dispensations, qualifications, and licences whatsoever to the contrary hereof, shall be void in Law.

V I I I. Provided, that no title to confer or present by *lapse*, shall accrue upon any deprivation *ipso facto*, but after six moneths after notice of such deprivation given by the Ordinary to the Patron.

Spirituality.

I. Stat. 4. H. 4. 2. Pars inde, The Statutes made in the 25 of E. 3, touching the Clergy of England, shall be put in execution.

I I. Stat. 4. H. 4. 3. All Statutes, Ordinances, and grants made by the Kings progenitors (Kings of England) to the Clergy of England, for the conversion of their Liberties, and Priviledges, and of the Liberties and Members of Holy Church, (not revoked) shall be firmly observed and put in due execution.

Stanes.

I. Stat. 1. H. 8. 9. An Act concerning the maintaining of the Bridge and Cawsey of *Stanes*, and for the gathering of the toll there, and the Letters Patents made of the toll there shall be void. See the Statute at large.

Staple.

I. Stat. 2. E. 3. 9. All Staples shall cease, and all Merchants may come in and go out with their Merchandize at their pleasure, according to the great Charter.

II. The Statute of the Staple, Cap. 1. 17. E. 3. The staple of English wool, leather, woolfels, and lead shall be holden for *England* at *Newcastle* upou *Tine*, *York*, *Lincoln*, *Northwich*, *Westminster*, *Canterbury*, *Chichester*, *Winchester*, *Excester*, and *Bristol*: For *Wales*, as *Caermardin*: And for *Ireland* at *Develin*, *Waterford*, *Cork* and *Drogheda*, and not elsewhere.

III. When the said Merchandize is to be exported, they shall be first brought to the said Staples to be weighed by the Standard; and every sack and sarplet of wool so weighed shall be sealed under the seal of the Major of the Staple.

IV. The wools so weighed and sealed at *Yorke*, *Lincolne*, *Northwich*, *Westminster*, *Canterbury*, and *Winchester*, and also leather, woofsels and lead, which shall be brought thither (the Customes of the Staple being paid) shall be witnessed by bill under the seal of the Major of the Staple, and shall be from thence conveyed to the Ports following, viz. from *Yorke* to *Hull*, from *Lincolne* to *Saint Bottolf* (alias *Boston*) from *Northwich* to *Great Tarmouth*, from *Westminster* to *London*, from *Canterbury* to *Sandwich*, and from *Winchester* to *Southampton*: And there the wools and lead shall be again weighed by the Customers assigned in the same Ports: But the wools and lead brought to *Newcastle*, *Chichester*, *Exter*, *Bristol*, *Caermardin*, *Develin*, *Waterford*, *Cork*, and *Drogheda* shall be but once weighed by the Standard in those severai Ports in the presence of the Customers there.

V. An Indenture shall be made at the said Ports betwixt the Major of the Staple and the Customers there of all Wools, Lead, Leather and woofsels brought thither; And they also shall be there customed & cocketed, and the Custom thereof duly paid, which shall be

be for *Denizens*, half a mark for a sack of wool, as much for 300 woolfels, and a marke for a last of leather; but for Aliens, 10 s. for a sack of Wool, 10 s. for 3000 woolfels; and 20 s. for a last of leather: and 3 d. for every sow of lead.

V L. The said Merchandize shall be transported beyond sea from the said Ports by Merchant-strangers, and not by English, Welsh, or Irish.

VII. Neither the Major nor Customers shall delay any man for gaine, nor take any more then appertaineth to their Offices; in pain of Imprisonment, and to answer the partie double of what is so taken, together with his damages occasioned by such taking or delay, and besides shall be ransomed at the Kings will.

VIII. The Major of the Staple and the customers shall take an oath of all Merchants, that so transport the said Merchandize, that they shall hold no Staple thereof beyond sea.

IX. *Statutum Stapule Cap. 4.* None going to or coming from the Staple shall be disturbed by the Purveyors of the King or any other; saving to the King all Prices Royal, and all carriages and victual, as hath been accustomed.

X. Every Carrier returning from the Staple shall have a bill under the Majors Seal, testifying that he serveth the staple, and containing his Journeys home, which bill shall be freely granted; and the Major shall be sworn to give no bills to any but such as serve the staple.

XI. If any thing pertaining to the staple be so taken, Hue and Crye shall be levied after the offender, by the town, where it is so taken, or by the next; and if it be within the vierge, the offender shall be punished by the Kings Steward and Marshall, but if out of the vierge, he shall be conveyed to the Gaole and suffer as a felon, if the offence require it.

XII. If the Towne and townes be negligent to arrest the offender, the foure Towns next adjoining shall answer the partie grieved his damages, if they cannot reasonably excuse themselves.

XIII. If such offence be committed within the staple, the Major and Ministers of the staple shall arrest the taker, and do the party grieved right; but if then the staple be within the vierge, and the taker be one of the Court, in that case the said Major and Ministers shall call to them the said Steward and Marshall, or the Stewards Lieutenant to see right done according to the Law of the staple; Howbeit, if they come not, the said Major and Ministers shall proceed without them.

XIV. *Statutum Stapule, cap. 5.* None of the Kings Justices shall take Conusance of any thing, that pertaines to the staple.

XV. *Statutum Stapule, cap. 6.* None of the Kings Officers shall meddle in the places, where the staples be holden, in paine to answer the partie grieved quadruple damages, and to be grievously punished by the King.

XVI. *Statutum Stapule, cap. 7.* All licences granted to English, Welsh, or Irish, to transport the above-said Merchandize contrary to this Statute of the Staple shall be void.

XVII. *Statutum Stapule, cap. 8.* The Majors and Constables of the Staples shall have Jurisdiction & Conusance (within the staple) of all people and things which concerne the staple, and all people comming thither shall be ruled by the Law-merchant, and not by the Common-Law, or other Customes; So that if either Plaintiffe or Descendant be of the staple, the action may be tried before the said officers, wherher the contract or covenant were made within the staple or without, but trespassse there triable must be done within the said staple: Howbeit Pleas, that concerne the Kings Court shall be heard and determined by the Steward or his Licutenant and the Marshals together with the said Major; And pleas of land and freehold shall be at the Common law.

XVIII. If Felonies or Mayhemes be there committed, the Major or other fit persons shall be assigned to heare and determine them according to the Common law, and none shall detaine such an offender in paine of 100 l. And Indictments found without the staple of offences done within it shall be sent to the said Major and Justices to do right therein.

XIX. When an Issue is to be tried before the Major by an Enquest, if the parties be both Denizens, the Enquest shall be all Denizens, and when they are both Aliens, they shall be all Aliens; but when the one partie is a Denizen and the other an Alien, halfe the Enquest shall be Denizens, and the other halfe Aliens.

XX. *Statutum Stapule, cap. 9.* The Major of the Staple may take a Recognisance of a debt in the presence of the Constables of the staple or one of them; And there shall be a seale ordained, to be remaining with the Major, under the seales of the Constables, with which every obligation upon such recognisance shall be sealed, and for every such obligation under 100 l. they shall pay an halfe penny in the pound, but for those above, onely a farthing in the pound.

XX. Upon such Obligation after default of payment, the Major may imprison the debtor, and arrest his goods and sell them

to satisfie the Creditor: but if the debtor be not found within the Staple, the Major shall certifie the Obligation into the *Chancery*, from whence shall thereupon issue a writ against the debtors person, lands, goods, and Chattels, returnable into the *Chancery*, and thereupon due execution shall be made, as is contained in the Statute-merchant, so that the Creditor may have freehold in the debtors lands, which shall be delivered unto him by the same proceffe, and likewise recovery by writ of *Novel disseisin*, if he be put out: but here, the debtor shall have no advantage of the quarter of a yeare, that is contained in the said Statute-merchant.

XXII. Statutum Stapulæ, Cap. 15. They who have Wools, Leather, Fels, or lead betwixt the places where the staples be and the sea, and seem to intend to carrie them to the staple, shall make indentures betwixt them and the Bailiffs of the towne, where they ship them, testifying how much they have so shipped.

XXIII. The Bailiffs of such places shall take an oath and sufficient surety of them and the Mariners, that they shall carry them to the staple and not elsewhere, and there shall discharge them before they enter the sea.

XXIV. The said Bailiffes shall send one part of the Indentures to the said Major of the staple (whither they pretend to carrie the goods) by a messenger (for whom they will answer) at the costs of the Owner of the goods; And all this the said Bailiffes and Merchants shall do, in paine to incurre the punishment contained in the third Article of this Statute, *which see in Merchants*.

XXV. Statutum Stapulæ, Cap. 16. In every town, where the staple is, there shall be certain rowes and places provided, where the wools and other merchandize may be put; And houses there shall be set at reasonable rates to be assessed by the Major or Constable of the staple and 4 discreet men of the towne: where the staple, who shall be sworne to make a lawfull tax; And none shall be disturbed to lodge his merchandize in such hired house.

XXVI. Statutum Stapulæ, Cap. 18. Merchants of *Ireland* and *Wales*, who cannot sell their Wool, Woolfels, Leather, or Lead in *Ireland* or *Wales* may bring them to the staples of *England*, having first paid custome for them in the places from whence they bring them, in respect whereof they shall not be charged with Custome in *England*. Howbeit if they carrie them elsewhere, they shall incurre the penalties of the said third Article.

XXVII. The Treasurer and Barons of the Exchequer shall yearly at (*Easter*, and *Michaelmas*) have an accompt, what merchandise is so conveyed out of *Ireland*, and of the Custome paid for the same.

XXVIII.

XXVIII. Statutum Stapule, Cap. 19. No Merchant or other shall lose hi, goods for the offence of his service, unlesse he did it by the command or procurement of his Master: And speedy justice shall be done to Merchants from day to day and hour to hour.

XXIX. Statutum Stapule, Cap. 20. If any wrong be offered a Merchant-stranger out of the staple, the Justices there shall do him right according to law-Merchant, viz. speedy justice, and if any be convict thereof, he shall forfeit to the King as much as the Merchants damages amount to, and shall pay to the Merchant double damages

XXX. Statutum Stapule, Cap. 21. In every staple-town there shall be a Major and two Constables established, able for the execution of their several places; and when they die or are changed, others shall be chosen in their roomes by the communaltie of Merchants there: Howbeit, the Major shall not hold over his year, unlesse he be againe chosen (as aforesaid) and that as well by Aliens as Denizens.

XXXI. The Major and Constables have power to keep the peace; And to arrest offenders there, for debt, trespassse, or contract, and them to imprison and punish according to the law of the staple, for which end a prison shall be there also ordained.

XXXII. Officers of Corporations where the staple is, or neer adjoyning thereunto, shall (upon Command) assist the officers of the staple in the execution of their offices, in paine of grievous forfeiture: Also a Lord of most sufficiencie in the Countrey where the staple is, shall be assigned to be aiding to them, as occasion shall require, as well to reforme offenders, as to redress mistakes by them omitted: but the appeal for injustice in the staple shall be to the Lord Chancellor or privie Councill.

XXXIII. Statutum Stapule, Cap. 22. In every staple there shall be Correctors appointed, able and sufficient men (as well Aliens as Denizens) to record bargaines betwixt buyers and sellers, and they shall give good suretie before the Major and Constables, lawfully to execute their office, and being found in default shall answer damages to the partie grieved: Howbeit they shall not meddle with merchandise during their office: But here, none shall be forced to use a Corrector, unlesse he please, nor give him any thing, unlesse he do something at his request.

XXXIV. Statutum Stapule, Cap. 23. A certaine number of Porters, Packers, Winders, Workers, and other Labourers of Wools and other Merchandise, shall be ordained for the Staple, who together with the Correctors, and all other Officers of the Staple (except

cept the Constables) shall be sworn before the Major, duly to execute their Offices: Also all Merchants (both Aliens and Denizens) comming thither to Merchandise, shall be sworn before the Major and Constables to be justified by them, and to maintain the Laws and Usages of the staple; But the Major and Constables shall be sworn in Chancery duly to execute their severall Offices.

XXXV. Statutum Stapulæ, cap. 24. Merchants strangers shall choose two Merchants strangers, who shall be assigned (the one for the South, the other for the North) to sit (when they please) with the Major and Constables of the staples, to hear plaints touching Merchants aliens, but the Major and Constables shall not forbear to proceed if they come not; howbeit, if they come, and any debate happen to arise between them concerning such plaint, it shall be determined before the Chancellor or the Kings Council.

XXXVI. Also six other persons shall be chosen, viz. two of *Alemaine*, two of *Lombardie*, and two of *England*, who shall be sworne duly to execute their Offices in moderating differences amongst merchants concerning things of the staple, which any four of them may (by their Oaths) do before the Major and the Officers, and what they do therein shall be definitive.

XXXVII. Statutum Stapulæ, Cap. 25. He that makes confederacie or conspiracie, which may turn to the impeachment, disturbance, defeating, or decay of the said staples, or of any thing to them belonging, shall incur the penalties ordained in the said third Article.

XXXVIII. Statutum Stapulæ, cap. 28. The liberties of the staples are confirmed, notwithstanding any Franchises granted to corporate Cities or Towns, howbeit other mens liberties, being in the staple, (viz. to keep Faires, Markers and the like) are saved.

XXXIX. Stat. 28. E. 3. 13. The Warranty of packing of Wools shall be wholly taken away, unlesse it be by covenant under Seal.

XL. An Enquest for the triall of any action in the staple, or before other Justices, where an Alien is one of the parties, shall be *per medietatem lingue*, if so many Aliens may be found, but if not, by so many as are found, and the rest to be made up of Denizens, being no parties or privies.

XLI. None shall forestall merchandise comming towards this Realm, in pain to incur the penalties of the said third Article of the Statute staple, &c.

XLII. No forreigners ship shall be compelled to arrive in *England*, nor to tarry in any place there, against the good will of the

the Master, Mariners, or Merchant, unto whom the ship, or the goods in her do belong, in pain to incur a grievous forfeiture to the King.

XLIII. Stat. 36. E. 3. 7. Majors and Constables of the Staples shall have onely conuſance of debts, covenants, contracts, and all other pleas touching Merchandize, and the ſurety thereof betwixt Merchants known; but proceſſe of felonies, and all other pleas (as well within the ſtaple as without) ſhall be at the Common Law, as it was before the Statute-Staple: Howbeit Merchant-Aliens have liberty to ſue for debts, treſpaſs, &c. before the Major, or at the Common Law at their election.

XLIV. The King and other Lords (within their Seigniories) ſhall enjoy their Franchiſes, as they did before the Statute-ſtaple; onely the Major of the Staple ſhall take Recognizances, as by the ſaid Statute is ordained.

XLV. Stat. 38. E. 3. Stat. 1. 7. The ſtaple ſhall be in *England*: And the Statute of the ſtaple together with the declarations, additions and modifications thereof is confirmed.

XLVI. Stat. 12. R. 2. 16. The ſtaple ſhall be removed from *Middleborough* to *Calais*.

XLVII. Stat. 14. R. 2. 1. The ſtaple ſhall be removed from *Calais* to thoſe Towns in *England*, named in the Statute of the ſtaple, 27. E. 3. 1.

XLVIII. Every Merchant alien ſhall beſtow the value of half his merchandize upon commodities of this Realm.

XLIX. Stat. 14. R. 2. 3. Officers of the ſtaple ſhall be firſt ſworn to the King, and then to the ſtaple.

L. Stat. 14. R. 2. 4. No Denizen ſhall transport any wools, woolfels, leather, or lead beyond ſea, in paine to forfeit the ſame.

LI. Stat. 15. R. 2. 9. The Statute of the ſtaple is confirmed.

LII. The Major of the Staple ſhall take no recogniſſance of debt contrary to the ſame Statute, in pain to pay half the ſum recogniſſed to the King.

LIII. Stat. 10. H. 6. 1. Recogniſſances taken before the Major of the Staple of *Calais* ſhall be effectual in *England*.

Steel.

I. Stat. 2. 3. E. 6. 27. None ſhall forge or ſell any gads of iron, like in faſhion to gads of ſteel, in pain to forfeit 4*l.* a gad, to be divided betwixt the King and the proſecutor.

Stillyard.

I. *Stat. 19.H.7.23.* All Acts, Statutes, and Ordinances, made in derogation of the Merchants of the Stillyard (called Merchants of the House in *Almain*, and having the house in *London*, called *Guilhalda Teutonicorum*) or of their Liberties granted them by the Kings of *England*, shall stand (as against them) void and repealed: Howbeit, this Act shall not be prejudicial to the City of *London*.

Surveyors.

I. *Extenta Mancini, 4.E.1.* Containing certain Articles to be inquired by Surveyors concerning Buildings, Demesnes, Forein pasture, Parks, Demesne Woods, Forein Woods, Herbage, and Pannage, Mills, Fishings, Freeholders, Customary Tenants, Cottages, and Curtilages, Perquisites of Courts, Patronages, Liberties. Customs, Services, &c. See the Statute at large.

Suit.

I. *Parlb. 9.52.H.3.* None enfeoffed by deed shall be distrained to do suit to his Lords Court, unless he be bound to do it by the form of his deed, or he or his ancestors have used to do it before the Kings first Voyage into *Brittain*, being about 39 years and an half since.

II. None enfeoffed from the time of the Conquest shall do it, unless his ancestors have done it before the said Voyage.

III. Such as be at a suit-fine shall be free from suit, paying their fine.

IV. The Parcenor having the eldest part shall do suit for his or her fellowes, and the rest shall be contributory.

V. Also one Jointenant or tenant in common, shall do the suit, and (if there be no mean to acquit him) the rest shall contribute.

VI. If a Lord distrain for suit not due, the parties (upon complaint) shall have an attachment against the Lord to appear in the Kings Court at a short day, when one onely esoin shall be allowed, and the distress shall be redelivered to the Plaintiff, and there remain until the plea be determined.

VII. If the Lord appear not at the day, the Sheriff shall have command to distrain him by his goods, and to have his body before the

the Justices at another day, when if he appear not, the plaintiff shall go without day, and the distress shall remain with him, until the Lord have recovered, and in the mean time no more distresses, shall be made, saving to Lords their right, to recover their suits, when they will sue for them: But here, if the Lord be convicted, he shall allow the plaintiff damages.

VIII. Like Justice shall be done to Lords against tenants that withdraw their suits, as to limiting of dayes, and awarding of distresses, and damages also, if they recover; but Lords shall not recover seisin of such suits against their tenants by default, as they were wont to do: And as concerning suits withdrawn before the time above-mentioned, let the Common Law run, as it was wont to do.

Swans.

I. Stat. 22. E. 4. 6. None (but the Kings son) shall have any mark or game of Swans of his own, or to his use, except he have lands and tenements of Freehold worth five marks *per annum* besides reprises, in pain to have them seised by any having lands of that value, to be divided betwixt the King and the seiser.

Swearing and Cursing.

I. Stat. 21. Jac. 20. If any shall swear or curse within the hearing of a Justice of Peace, or shall be convicted thereof by his own confession, or the evidence of two witnesses upon oath before the same Justice, he shall forfeit 12 *d.* to the use of the poor, where the offence shall be committed, to be levied by the Constable, Church-wardens and Overseers of the Poore there (upon warrant from such Justice) by distress and sale of goods; and in default of distress, if the offender be above 12 years old, he shall (upon warrant, as aforesaid) be set in the stocks three hours; but if under, then shall he be whipped by the Constable, or by the parent or Master in the Constables presence.

II. Here if the officer be sued for the due execution of his office, he may plead the general issue, and yet give special matter in evidence.

III. This offence shall be complained of, and proved, as aforesaid, within 20 dayes after it is committed: And this Act shall be read in the Church twice in the year, upon Sunday after Evening-prayer.

Tail.

I. *W. 1. 13. E. 1.* **W** Here lands are given to a man, and the heires of his body, or to husband and wife, and the heirs of their two bodids, upon condition, that if such man or such husband and wife die without issue, that then the land should revert to the Donor; or where land is given in frank marriage, and such a condition is conceived to be annexed or implied: In all such cases heretofore the feoffees (after issue had) had power to alien and to dis-inherit the issue contrary to the mind of the Donors: Wherefore now it is ordained, that the will of the giver (according to the form in the deed of gift manifestly expressed) shall be from henceforth observed, so that they to whom the land was given under such condition, shall have no power to alien the land so given, but it shall remain to their issue after their death, or shall revert to the giver or his heirs, if issue fail; neither shall the second husband of any such woman from henceforth have any thing of the land so given upon condition (after the death of his wife) by the law of *England*, nor the issue of such second husband and wife shall succeed in the Inheritance; but immediately after the death of the husband and wife, unto whom the land was given, it shall return to the issue of the giver, or his heirs, as aforesaid,

I I. Hereupon a new writ of Formedon in descender is granted in this form; *Præcipe A. quod justè, &c. reddat E. Manerium de F. cum suis pertinentiis, quod C. dedit tali viro & tali mulieri & heredibus de ipsis viro & muliere exeuntibus: or thus, Quod C. dedit tali viro in liberum maritagium cum tali muliere & quod post mortem prædictorum viri & mulieris prædicto B. filio eorum viri & mulieris descendere debeat per formam donationis prædictæ, ut dicit, &c. vel Quod C. dedit tali & heredibus de corpore suo exeuntibus, & quod post mortem illius talis prædicto B. filio prædicti talis descendere debeat per formam, &c.*

I I I. This Act shall extend to gifts hereafter to be made, and not to gifts heretofore made, and a fine hereafter to be levied upon such lands shall be void in law; Neither shall the heir or reversioner (albeit they be of full age, in *England*, or out of prison) need to make their claim: But this Law concerning a fine is in some sort altered by 32. H. 8. 36. which see in Fines, Taxes,

Taxes, Tenths, Fifteens, Benevolences, Ship-money.

I. Stat. 25: E. 1. Certain taxes then before taken shall not be taken in Custome, but by the common assent of the Realm, except ancient aides and taxes.

II. Stat. *De Tallagio non concedendo*, cap. 1. Temp. E. 1. No tallage or aid by us or our heirs shall be levied without the will and assent of the Archbishops, Bishops, Earls, Barons, Knights, Burghesses, and other free Commons of our Realm.

III. Stat. 1. E. 3. Stat. 2. cap. 6. Whereas after taxes rated, levied, and paid into the Exchequer, commissions of review issued out, by colour whereof the Justices thereto assigned took fines of the taxers and others, it is ordained, that from henceforth the people shall be taxed after the old manner, and not otherwise.

IV. Stat. 11. R. 2. 9. No imposition or charge shall be put upon wool, leather, or woolfels, other then the custome and subsidie, granted to the King in this present Parliament, and if any be, the same shall be annulled, saving always unto the King his ancient right.

V. Stat. 9. H. 4. 7. Goods shall be chargeable towards the payment of tenths, or fifteenth, in the place where they were at the time the same were granted; howbeit none shall be twice charged for his goods.

VI. Stat. 1. R. 3. 2. The subjects of this Realm shall not be hereafter charged by any charge called a benevolence, or any such like exaction, or imposition whatsoever, and such impositions heretofore charged upon the subject shall not be hereafter drawn into president or example.

VII. Stat. 19. H. 7. 8. No Major, Sheriffe, Bailiff or other Officer shall distrein, take or levie any custome called *Scavage* or *Sbevage* of any Denizen for any merchandize before truly customed, nor for the payment thereof let or disturb any Merchant or other (being Denizens) to sell or utter the same merchandize, in pain of 20*l.* to be divided betwixt the King and the party grieved, or the prosecutor, which of them will sue first for it.

VIII. Howbeit the Major and Communalty of *London* may take so much money (of Denizens) for scavage, as shall be found to be their right by the King and his Council.

IX. Stat. 16, 17. Car. 14. An Act for declaring unlawful and void

void the late proceedings touching Ship-money, and for the vacating of all records and process concerning the same.

Templers.

I. *Stat. De terris Templariorum*, 17. E. 2. Neither the King nor other Lords shall have by escheate the lands, that were the Templers (which order was then dissolved) but those lands shall remain to the Prior and Brethren of the order of the Hospital of Saint John of Jerusalem, which order was then erected.

Tenure.

I. *Magna Charta*, 10. None shall distrain for more service than is due.

II. *Magna Charta*, 31. If a Baronie escheate to the King, the tenants that hold of the same (not having other lands that hold of the King in chief) shall pay like relief, and do like services to the King after such escheat, as they paid or did to their former Lords, and not otherwise.

III. *Magna Charta*, 32. No Free-man shall give or sell so much of his land, that of the residue the Lord of the fee may not have the services due to him,

IV. *Quia Emptores terrarum*, 18. E. 1. In all feoffments to one and his heirs, the feoffee shall hold his land of the Chief Lord of the fee by the same services, that the feoffor held before.

V. Here, if the feoffment be made of parcel, he shall hold of the Chief Lord *pro particula*, according to the quantity of the land, and the feoffor shall be set free for that part.

VI. Howbeit, by such sales or purchases of lands, or any parcels thereof, such lands shall not come into mortmain, contrary to the Statute thereof lately made; Neither shall this Act be understood of any other then lands in fee-simple.

VII. *Stat. 1. E. 3. Stat. 2. 12.* From henceforth lands holden of the King in chief and aliened without licence shall not be forfeited, but a reasonable fine shall be taken (of such lands so aliened) in Chancery by due process.

VIII. *Stat. 1. E. 3. Stat. 2. 13.* Lands holden of the King as of some Honour shall not be taken into the Kings hands as if they were holden of the King in chief, as of his Crowne.

IX. *Stat. 34. E. 3. 15.* All Alienations, which the tenants of H. 3. and of other Kings before his time did make, are confirmed.

X. *Stat. 7. E. 4. 5.* Lands holden of a common person by fealty

the rent or other service, comming to the Kings hands by attainder of treason, and being afterwards granted by the King to another, shall be holden, as if such attainder had not beene.

XI. Stat. 35. H. 8. 14. The King (at his pleasure) upon the grant of any Abbey-lands under the value of 40 s. *per annum* (houses and gardens, whereunto no lands appertain, only excepted) may reserve either a tenure by Knight-service in *capite*, or a tenure in soccage or free-burgage, and not in *capite*, with the yearly rent of the tenth part of the annual value of the said lands, as they shall be exprest in the said grant to be yearly worth: And of such houses also and gardens whereunto no lands appertaine, as aforesaid (being none of the Kings houses:) The like tenures (at his pleasure) and a tenth part of the yearly value, *whether they be under or over the yearly value of 40 s. per annum.*

XII. Stat. 37. H. 8. 20. All lands and other hereditaments not above the yearly value of 40 s. and all houses, orchards, yards, and gardens, whereunto no lands appertaine (being none of the Kings houses) granted by the King since the 27 yeare of his reign to any person or persons, to hold of him by fealtie onely, or by fealtie onely and not in *capite*, or in soccage or free-burgage, or by fealty onely in free and common soccage and not in *capite*, or by words to that effect; Or to hold by fealty, or by fealty only & not in *capite*, as of one of the Kings Honors or Mannors, or the like, shall be adjudged and taken to be holden in soccage or burgage and not in *capite*.

XIII. The King within five years after the 1 of Nov. in the 37 yeare of his reign (at his pleasure) upon grants of lands or other hereditaments, not rated at above 40 s. *per annum* (houses, gardens, &c. unto which no lands belong only excepted) and of such houses, gardens, &c. (being not the Kings) may reserve either a tenure by Knight-service in *capite*, or else a tenure by fealty or in soccage or burgage, and not in *capite*: And all tenures reserved since the 24 of April in the 25 yeare of the Kings Reign, and to be reserved within the said five yeares by these words, *et non in capite*, shall be taken to be tenures in soccage or Burgage and not in *capite*: And the heir of the grantee of any such lands, houses, &c. may (after the death of his ancestor) enter into any of the same lands, houses, &c. without any livery, or *oultre le main*, or other fine or fines whatsoever to be paid to the King for the same.

XIV. Stat. 1. E. 6. 4. All such honours, mannors, lands tenements, or hereditaments, which are holden of the King by Knight-service, in soccage, or otherwise, as of any Dukedome, Earldome, Baronie, or other Seigniorie (being come to the King by attainder, con-

conviction, outlawrie, dissolution, or surrender) shall not be taken to be holden in *Capite*.

XV. This Act shall not prejudice the Kings profit or advantage in respect of lands holden of him as of his person in Chief, or of his ancient possessions.

XVI. Neither shall this Act give advantage to any tenant of lands, who hath heretofore sued any special or general livery, or *Oustre le maine*, out of the hands of the King or his progenitors, or shall confesse by matter of record any tenure in chief of the King.

Tiles,

I. Stat. 17. E. 4. 4: Tile-earth shall be cast up before the first of *November*, shired and turned before the first of *February*, and not made into Tile, before the first of *March*, and shall likewise be tried and severed from stones, malne, marle and chalke.

II. A plain tile shall containe in length ten inches and an half, in breadth, six inches and a quarter, and in thicknesse half an inch and half a quarter at least: A roof or crest-tile in length thirteen inches, and in thicknesse, as before with convenient deepnesse accordingly, a gutter and corner-tile, in length ten inches, and an half, with convenient thickness, breadth and deepnesse.

III. If any shall sell tile otherwise made, he shall forfeit to the buyer the double value thereof, to be recovered by Action of debt; and besides shall make fine and ransome at the Kings will.

IV. Justices of Peace shall heare and determine these defaults and offences as well at the suit of the King, as of the party grieved, and shall not set lesse fine upon an offender against this Act then after the rate of 5 s. for every thousand of plain tile, 6 s. 8 d. for every hundred of roof-tile, and 2 s. for every hundred of corner or gutter-tile.

V. The said Justices have also authority to appoint searchers of tile, who shall diligently execute that office, in pain to forfeit to the King for every default 10 s. and shall have of every tile-maker, for such search after the rate of 1 d. for every thousand of plain tile, ob. for every hundred of roof-tile, and qn. for every hundred of corner and gutter-tile, and shall make presentment of all defaults found at the next Sessions, which shall be as effectual in law, as a presentment of twelve men.

VI. None shall put any tile to sale before such search be made, in pain to forfeit the same, and the Justices of Peace have also power to hear and determine the defaults of the said searchers.

Tindale, Ridesdale, and Examshire.

I. Stat. 2. H. 5. 5. If any person of *Tindale* or *Examshire* commit any murder, treason, manslaughter, or robbery, or consent thereunto, out of the said Franchises, process shall be made against him until he be outlawed, and after outlawry returned, the Justices, before whom it is so returned, shall make certificate thereof to the Ministers of the said Franchises, who shall take such felons, and seize their lands and tenements into the hands of the Lords of the same Franchises, as forfeit; but their lands and tenements out of those Franchises, shall be seized to the use of the King and other Lords, (having Franchise there) as forfeit: saving to the King the forfeitures of such offenders, which to him belong in right of his Crown.

II. Stat. 9. H. 5. 7. The Statute of 2. H. 5. 5. made against offenders in *Tindale* and *Examshire* shall be extended against the like offenders in *Ridesdale*.

III. Stat. 11. H. 7. 9. The North and South-Tindale, and all the lands within the same shall be guildable and parcel of the County of *Northumberland*, and no Franchise shall be there, but all the Kings writs and officers shall be there obeyed.

IV. None shall demise any lands for yeares, life, or at will there, but the lessor shall before find two sureties having at least 40 s. *per annum* within the County of *Northumberland*, to be bound by recognisance in 20 l. to the King to make answer within 8 dayes warning to all such offences, as aforesaid; And the lessor shall forfeit 40 s. for every acre otherwise let, to the King and Justices, and such lease shall be void; The Justices of Peace also shall inquire of such recognisances forfeited. See the Statute at large.

Tithes.

I. Stat. *pro Clero*, 7. 18. E. 3. No *scire facias* shall be awarded, to warn a Clerk to answer for his tithes before any secular Judge; saving to him his right.

II. Stat. 1. R. 2. 14. Where in an action of goods carried away, the defendant maketh his title for tithes due to his Church, in such case the plaintiffs general averment shall not be taken without shewing specially how the same were his lay-chattel.

III. Stat. 5. H. 4. 11. The farmers of Aliens shall pay tithes to the Parsons and Vicars of the Parishes, where the lands in farm do

do lie, notwithstanding they be seized into the Kings hands, or any prohibition made to the contrary.

IV. Stat. 27 H. 8. 20. If the Judge of an Ecclesiastical Court make complaint to two Justices of Peace (1. Qu.) of any contumacie or misdemeanour committed by a defendant in any suit there depending for tithes, the said Justices shall commit such defendant to prison, there to remain, till he shall finde sufficient surety to be bound (before them) by recognisance; or otherwise, to give due obedience to the process, proceeding, decrees and sentences of the said Court.

V. This Act shall not extend to any Citizen of *London*; neither shall it restrain any person from having their defence and remedy, according to the Ecclesiastical laws; and the laws and Statutes of this Kingdome.

VI. This Act shall not have longer force then that the King and such 32 persons, as he shall uppoint, shall have established the Ecclesiastical Lawes for the Church of *England*, after which time tithes shall be paid according to those Lawes, and not otherwise.

VII. Stat. 28. H. 8. 11. The year, in which the first-fruits shall be paid to the King, shall begin immediately after the avoidance or vacation of the Benefice; and the tithes and other profits of any such Benefice arising, during the time of the vacation, shall belong to the presentee or his executors towards the payment of the first-fruits, which if any Archbishop, Bishop, or other hinder him to have, he shall forfeit the treble value thereof, to be divided betwixt the King and such incumbent; Howbeit, such Archbishop, Bishop, Ordinarie, or other Officer shall be allowed the charge of the Cure, and of Juning tithes, and other profits.

VIII. Here also, the incumbent before his death may make and declare his will of the grain sown by him upon the Glebelands.

IX. But the successor (upon a moneths warning) shall have the Parsonage-house, and the Glebe not sown.

X. If the fruits of such spiritual promotion received be not sufficient to pay the Curate, the next incumbent shall do it, within 14 dayes after his induction.

XI Stat. 32. H. 8. 7 All persons shall duely set forth, and pay all tithes and offerings according to the custome of the places where they grow due.

XII. If tithes or offerings be not so set out and paid, the party grieved may convent him, that so detains them, before the Ecclesiastical Judge, who hath power to hear and determine the matter in question ordinarily or summarily, according to the Ecclesiastical Lawes, and to give sentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge upon such appeal shall adjudge to the other party reasonable costs, and compel the Appellant to satisfie them by proceſs and censures Ecclesiastical, taking surery of the other party, to whom the costs shall be adjudged to restore the costs, in case the principal cause pass against him.

XIV. If any person after such sentence given refuse to pay the tithes or sums of money so adjudged, then two Just. of P. (1 *Qu.*) shall (upon certificate thereof from the Judge) commit the party so refusing to the next Gaol, there to remain, until he have found sureties to be bound by recognisance, or otherwise (before the same Judge) to the King, to perform the said sentence.

XV. Howbeit none shall be thereby compelled to pay tithes for lands or other hereditaments, which by the Lawes and Statutes of this Realme are discharged, and not chargeable with the payment of tithes: Neither shall it extend to the Citie of London or the Suburbs thereof.

XVI. In all cases, where any person, who hath any estate of inheritance, freehold, term, right or interest in any Parsonage, Vicarage or other Ecclesiastical profit, which now be or hereafter shall be made temporal, and admitted to be and abide in temporal hands and to lay-uses by the Lawes and Statutes of this Realme, shall happen to be hereafter outed, or otherwise wronged from or concerning the same, he or she shall have remedie for the same (in the Kings temporal Courts, or other temporal Courts, as the case shall require) by writs of *præcipe quod reddat*, Affize of *Novel disseisin*, *Mortdancer*, *quod ei deſorceat*, writs of dower and other originall writs as the case shall require, in like manner as for lands, tenements and other hereditaments in such manner to be demanded.

XVII. Also writs of Covenant and other writs for fines to be levied, and all other assurances to be had and made of Parsonages, Vicarages, and other profits called spirituall, shall be devised and granted in Chancery, as hath been used for fines and assurances of other lands: likewise all Judgements given and fines levied for and of such Parsonages, &c. shall be of like effect, as Judgements given and fines levied of other lands.

XVIII.

XVIII. Howbeit, remedy for tithes or offerings shall be had in the Ecclesiastical Court (and not in temporal Courts) as above by this Act is provided.

XIX. Stat. 37. H. 8. 12. A confirmation of a decree made by *Thomas*, Archbishop of *Canterbury*, and others (there named) for the payment of tithes in *London*; See the statute and decree at large.

XX. Stat. 2, 3. E. 6. 13. The Statutes of 27. H. 8. 20 and 32 H. 8. 7. are confirmed: And every person shall without fraud yield and pay all predial tithes, as hath been used within forty yeares before the making of this Act, or of right or custome they ought to have been paid.

XXI. None shall take or carrie away any tithes (paid or that ought to have been paid, as aforesaid) before he hath justly divided and set forth for the tithe thereof the tenth part of the same; or otherwise agreed for the same tithes with the Parson, Vicar, or other owner, Proprietor, or farmer thereof, in pain to forfeit the treble value of the Tithes so taken, or carried away.

XXII. At Tithing-time, it shall be lawfull for the Owner (claiming such predial Tithes) his Deputy or servant to see his said Tithes be truly set out and severed from the nine parts, and the same quietly to take and carry away.

XXIII. If any person carry away his Corn, Hay, or other prediall Tithes before they be set out, or willingly withdraw his tithes of the same, or of other things whereof predial tithes ought to be paid, or do let such owner to view, take, and carry away his tithes, as aforesaid, by reason whereof they are lost, impaired, or hurt; that then upon due proof thereof before a Spiritual Judge, the party so carrying away, withdrawing, letting, or stopping shall pay the double value of the tithe so taken, lost, withdrawn or carried away, besides costs of suit, to be recovered before such Ecclesiastical Judge, according to the Ecclesiastical lawes.

XXIV. Tithe of cattel feeding in a Waste or Common, where the Parish is not known, shall be paid by the owner of such cattel in the place where he dwels.

XXV. None shall be compelled to pay tithes for lands or other hereditaments, which by the Lawes and Statutes of the Realm or by any priviledge or prescription, are not chargeable therewith, or are discharged by any composition real.

XXVI. Barren heath and waste ground, (other then such as be discharged from tithe by Parliament) which hath heretofore paid no tithes by reason of the barrenesse thereof, but be now improved and

and converted to arable ground or meadow, shall at the end of 7 yeares next after such improvement pay tithe: Or if they yielded some small tithe before the improvement, they shall onely pay that small tithe during the first 7 yeares, but afterwards shall pay the full tithe, according to such improvement.

XXVII. Every person exercising merchandize, buying and selling, or any other art or facultie (being such persons and in such places as heretofore within 40 yeares have used to pay personall tithes, or of right ought to have paid them, and not day-labourers) shall yearely at or before *Easter* pay for his personal tithes the tenth part of his cleer gains, reasonable charges and expences being deducted.

XXVIII. Handy-craft men, having used to pay tithes within 40 yeares, shall still pay them.

XXIX. The Ordinary hath power to examine him, that refuseth to pay his personall tithes, by any lawfull meanes (otherwise then by his owne oath) concerning the payment of such tithes.

XXX. Offerings shall be paid (in the place where the party dwells) at such 4 offering dayes, as heretofore within the space of 4 yeares last past have been used for the payment thereof, but in default thereof, at *Easter*.

XXXI. Parishes, that stand upon or towards the Sea-coasts, the commodities whereof consist much in fishing, shall pay their tithes, as they have done within 40 yeares, and their offerings as aforesaid.

XXXII. This Act shall not extend to *London* or *Canterbury* or their Suburbs, nor to any other towne or place where the inhabitants have used to pay tithes by houses.

XXXIII. Suits for substracting or withdrawing of tithes, and other profits spiritual shall be prosecuted in the Ecclesiastical Court before the Ecclesiastical Judge, who hath power (no appeal or prohibition hanging) to excommunicate the party disobeying his sentence, and if he stand excommunicate 40 days, to certifie the excommunication (after publication thereof at the place or parish where such partie dwells) into the *Chancery*, and thereupon to require process *de excommunicato capiendo* to be awarded against the person so excommunicate.

XXXIV. Before a Prohibition shall be granted, the partie Plaintiffe therein shall bring a true copie of the libel exhibited into the Ecclesiastical Court concerning that suit, subscribed with the hand of the same partie, and there under shall be written the suggestion, whereupon the partie demandeth such prohibition, and the libel thus ordered, shall be delivered to the Justices of the Court
 I i where

where the prohibition is so demanded, and if such suggestion be not proved to that Court by two sufficient witnesses within six moneths next after such prohibition granted, the other partie shall (upon request) have consultation and double costs and damages awarded by the said Court, and may recover such costs and damages by action of debt.

XXXV. This Act shall not give power to any Ecclesiastical Judge to hold plea of any matter against the meaning of the Statute of *Westm. 2. Cap. 5. Articuli cleri, circumspicere agatis, Sylva cadua*, the treatise *de regia prohibitione*, nor of *1. E. 3. 10.* nor any of them, nor where the Kings Court ought of right to have Jurisdiction.

XXXVI. No tithes of marriage-goods shall be paid in *Wales*, nor the Marches thereof.

Tolles.

I. 22. E. 1. 30. 3. E. 1. If excessive toll be taken in a Market-towne; Where it is the Kingstown, the Franchise shall be seised; But where it is anothers, if it be done by the Lords consent, the Franchise shall be seised, as before, but if done by a Bailiffe or other officer, he shall restore as much more to the Plaintiff, as was so taken, and shall suffer 40 dayes imprisonment.

II. Citizens or Burgesies, who have the King or his Fathers grant for murage to inclose their towns, if they take for murage more then they ought to do by their grant, and be thereof attainted, they shall lose their grant, and be also grievously amerced to the King.

Towns.

II. Stat. 27. H. 8. 1. A remedie for repaire of decayed houses and buildings upon waste ground in *Nottingham, Shrewesbury, Ludlow, Bridge-north, Quinborow, Northampton, and Gloucester.* See the Statute at large.

III. Stat. 32. H. 8. 18. A remedie for repaire of decayed houses and building upon waste ground in *Yorke, Lincolne, Canterbury, Coventry, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester, Portsmouth, Poole, Linne, Faversham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exeter, Ipswich, Southampton, Great Yarmouth, Oxford, Great Wiccombe, Gilford, Stratford, Kingstone upon Hull, Newcastle upon Tyne, Beverly, Bedford, Leicester, Barnwicke.* See the Statute at large.

III. Stat. 32. H. 8. 19. A like Statute for re-edifying of *Shaftesbury, Shirborne, Birtport, Dorchester, Weimouth, Plimouth, Plinton* Barn-

Barnstable, Tavestocke, Dartmouth, Lanceson, Lyskerde, Lestuthiel, Bodman, Truro, Helston, Bridgewater, Tawnton, Somerton, Ilchester, Malden in Essex, and warwick. See the Statute at large.

IV. Stat. 33. H. 8. 36. A like Statute for Canterbury, Rochester, Stamford, Great Grimsby, Cambridge, Derby, Gilford, Dunwich, The Cinque-Ports with the members, Lewes, and Buckingham. See the Statute at large.

V. Stat. 35. H. 8. 4. A like Statute for Shrewesbury, Chester, Ludlow, Haverford West, Pembroke, Denby, Carmarthen, Montgomery, Cardiffe, Swannesse, Combridge, new Radnor, Presteind, Brecknocke, Monmouth, Malden in Essex, Abergavenny, Uske, Carlion, Newport in Monmouth-shire, Lancaster, Preston, Liverpool, and Wigan. See the Statute at large.

VI. Stat. 1. 2. P. M. 7. None dwelling in the Country out of a Corporation or Market-town shall sell or cause to be sold by retail any Woollen-cloth, Linnen-cloth, Haberdash-wares, Grocery wares, or Mercery wares, in any such Corporation or market-town, or the Suburbs or Liberties thereof (except in open Fairs) in pain to forfeit for every time so offending 6s. 8d. and the whole wares so sold or offered to be sold: The one moiety of which forfeiture shall be to King and Queen, and the other to the seiser or prosecutor.

VII. Howbeit, any person may sell such wares in the said places by whole sale in grosse, and by retail also, he being made free of the said places, or it being cloth of his owne making, that is so sold.

VIII. The Liberties of the Universities are saved.

IX. Stat. 18. El. 21. It shall be lawfull for any person freely to buy or sell in New woodstocke all Wools and Yarn, brought thither upon the usual Market or Fair-dayes, and the same to use and employ to their best profit, notwithstanding any Statute, Law or usage to the contrary.

Treason.

I. Stat. De proditionibus, 25. E. 3. Stat. 5. Cap. 2. To compass or imagine the death of the King, Queen, or Prince: to violate the Queen, the Kings eldest daughter unmarried, or the Princes wife; to levie War against the King, or to adhere to his enemies within the Realm, giving them aid or comfort within the Realm or elsewhere: To counterfeit the Kings Great Seal or privie seal, or his money: to bring false money into this Realm, counterfeit according to the money of England, (knowing the same money to be false)

false) to merchandise or make payment with it : to kill the Chancellor, Treasurer, or any Justice of either Bench, Justices in Eyre, Justices of Assise, or any other Justices assigned to hear and determine, being in their places doing their Offices, is by this Statute declared to be high Teason : And in the said cases that ought to be adjudged treason which extends to the King or his Royall Majesty.

I I. Forfeitures of Escheats pertain to the King, of whomsoever the lands are holden.

I I I. There is another sort of Treason (*viz. Petty treason*) when a servant kills his Master, a Wife-her Husband, a Secular or Regular his Prelate, to whom he oweth faith and obedience, and in such cases the Escheats pertain to every Lord of his own Fee.

I V. If any other case supposed Treason, shall happen before any Justices, they shall defer the judgement thereof, untill the case may be declared before the King and his Parliament, whether it ought to be adjudged of Treason or Felonie.

V. To ride Armed with men of Arms, with purpose to kill, rob, or imprison another, untill he hath made fine and ransome, shall not be adjudged treason, but felonie or trespass, as hath been heretofore used : And if any such attempt hath been heretofore adjudged treason, and thereupon lands seised into the Kings hands withheld of other Lords, they shall be restored to such Lords, saving to the King his yeare and waste.

V I. Stat. 1. H. 4. 10. Treason shall not be adjudged otherwise, then as it was ordained by 25. E. 3.

V I I. Stat. 26. 8. 13. *Pars inde.* Treason committed out of this Realm, shall be enquired of in such County, and before such persons as the King shall appoint by Commission., and upon every indictment, and presentment so found and certified into the Kings Bench, like proesse and other circumstance shall be there had and made against the offender, as if such treason had been found to have been committed within the Realm : Also all proesse of Outlawry within the Realm against such offender (being resiant out of the Realm at the time of the Outlawry pronounced) shall be as good in Law, as if such offender had been resident within the Realm at the time of the Proesse awarded, and such Outlawry pronounced.

V I I I. Every such offender being lawfully convict by presentment, confession, verdict, or proesse of Outlawry, shall forfeit to the King all such Lands, Tenements, and Hereditaments, which he shall have of any estate of inheritance in use or possession, by any right, title, or means, within the Kings Dominions at the time of such treason committed, or after.

I X. The

IX. The rights, titles, interests, possessions, leases, rents, offices, and other profits of all persons, their heirs and successors (except of the offenders, or others claiming to their use) are saved.

X. Stat. 33. H. 8. 20. If any person commit high treason when he is of perfect memory, and after accusation, examination and confession thereof before any of the Kings Council, shall fall into Lunacie, he shall be enquired of in any County, where the King by his Commission shall assigne, and if he be there indicted, he shall be there arraigned without his personall presence, and if he be found guilty, he shall suffer death and forfeit, as if he had been of perfect memory. *But this is altered by 1, 2. P. M. 10. which see after.*

XI. If any person be attainted of high treason by the Common Law, or Statutes of this Realm, such attainder by the common law shall be of as good force as if it had been done by Parliament, and the King shall have as much benefit thereby, *viz.* of lands, tenements, hereditaments, goods, chattels, uses, rights, entries, conditions, possessions, reversions, remainders, and all other things of such offender, and shall be as well adjudged in actual and real possession of all such things of the offender, which the King ought lawfully to have, or which the offender ought or might lawfully lose or forfeit, as if he had been attainted by Parliament without any office or inquisition to be found of the same.

XII. The right, &c. of all others (except of the offender, &c.) is saved.

XIII. Stat. 35. H. 8. 2. All treasons, misprisions of treason, and concealments of treason, committed out of the Realm shall be enquired, heard, and determined before the Justices of the Kings Bench, by lawfull men of the County, where the Bench shall then sit, or before Commissioners in such County as the King shall assigne by lawfull men of the same County, in like manner as if the offence had been committed in the same shire where it is so inquired, heard, and determined: But here a Peere shall be tried by his Peers.

XIV. Stat. 1. E. 6. 12. All former Statutes which make any offences treason, or petty treason, are repealed, save only what is so made by 25. E. 3. Stat. 5. Cap. 2. and by this Statute.

XV. It shall be high treason to affirm by writing, printing, or deed, that the King is not supream head of the Church of *England* and *Ireland*, or that any other is: *But this clause is repealed by 1, 2. P. M. 8.*

XVI. It shall be high treason to interrupt any person to whom the

the Crown is limited, by 35. H. 8. 1. *but this is also expressly repealed by the generall words of 1. M. Sess. 1.*

XVII. If any compass to depose the King, or do affirm that he ought not to be King, for the first offence he shall forfeit his goods, and suffer Imprisonment at the Kings will; for the second he shall lose the issues of his lands during life, and suffer perpetuall imprisonment; and for the third, shall be guilty of high treason: *But so much hereof as concerns treason, petty treason, or misprison of treason is also repealed by the generall words of 1. M. Sess. 1.*

XVIII. Stat. 5. 6. E. 6. 11. It is high treason to affirm by writing, Printing, Painting, Carving, or graving, that the King is an Heretick, Schismatick, Tyrant, Infidel, or usurper of the Crown, or rebelliously to detain from the King any of his Castles, Holds, Ships, Ordnance, Artillery, or other fortifications of war: *But this part of this Statute is repealed expressly by 1. M. Sess. 1.*

XIX. Treason committed out of the Realm shall be inquired of in such County, and before such persons, as the King shall appoint by commission, and upon every indictment and presentment so found and certified into the Kings Bench, like processe and other circumstance shall be there had and made against the offender, as if such treason had been found to have been committed within the Realm; Also all processe of outlawry within the Realm against such offender (being resiant out of the Realm at the time of the outlawry pronounced) shall be as good in Law, as if such offender had been resident within the Realm at the time of the processe awarded, and such outlawry pronounced.

XX. If the party within one year after the outlawry or judgement given thereupon yield himself to the Chief Justice of England, and offer to traverse the Indictment or appeal, whereupon he was so outlawed, he shall be admitted to such traverse, and being thereupon acquit, shall be discharged of the Outlawry, and all forfeitures by reason thereof.

XXI. The offender in treason being lawfully convicted thereof, shall forfeit to the King all such lands, tenements and hereditaments, as he shall have of any estate of Inheritance, in his own right, in use or possession, in the Kings Dominions, at the time of the treason committed or at any time after.

XXII. Concealment of treason shall be deemed misprison of treason. *But quære whether this clause be not also repealed by the generall words of 1. M. 1.*

XXIII. None shall be attainted of treason but by the testimony of two lawful accusers who shall be brought in person before the

the party accused, unless he will willingly without violence confess the offence,

XXIV. Here the right of all others is saved.

XXV. The wife shall lose her dower, where the husband is attainted of treason, so long as the attainder continues in force.

XXVI. *Stat. 1. M. Sess. 1.* No Act or offence shall be adjudged treason, petty treason, or misprision of treason, but such as be declared to be so by 25. E. 3. *Stat. 5. Cap. 2.*

XXVII. *Stat. 1. M. Sess. 2. 6.* To counterfeit any forreign coin (made currant in this Realm) or the Queens signet manual, privy signet, or privy seal shall be adjudged High Treason; and all Counsellors, procurers, and abettors thereunto, shall also be deemed Traitors.

XXVIII. *Stat. 1, 2. P. M. 10.* Trial of treason shall be according to the course of the Common Law, and not otherwise.

XXIX. The right of all others is saved.

XXX. Concealment of high treason shall be adjudged misprision of treason, and shall incur punishment accordingly.

XXXI. Also in cases of high treason concerning coin, and for counterfeiting the King or Queens signet, privy seal, great seal, or signet manual, such trial shall be observed, as heretofore hath been used by the Common Law.

XXXII. *Stat. 1, 2. P. M. 11.* If any person bring from beyond sea into this Realm, or any of the Dominions thereof any false and counterfeit coin of money (allowed to be currant in this Realm) knowing it to be so, with intent to utter the same here by merchandizing or otherwise, both he and his accessaries shall be adjudged offenders in high treason; and shall be indicted and convicted, or attainted for the same by such evidence, and in such form, as hath been used within this Realm before the first of E. 6.

XXXIII. *Stat. 5. EL. 11.* Clipping, washing, rounding, or filing (for lucre-sake) any of the proper moneys, or Coynes of this Realm, or the Dominions thereof, or of forreign moneys or coyne (allowed to be currant here) shall be adjudged high treason; and the offender herein together with his accessaries being thereof attainted, shall suffer death, forfeit all his goods, and his lands also during life.

XXXIV. They who have any grant of forfeitures of lands or goods within any liberty of Precinct, shall in this case also enjoy them.

XXXV. These offences make no corruption of blood, nor forfeiture

feiture of Dower : And here , trial of a Peer shall be by his Peers.

X X X V I. Stat. 18. El. 1. If any person (shall for lucre-sake) by any wayes or Means whatsoever, impair, diminish, falsifie, scale or lighten the coines of these Dominions , or the coines of any other Realms (allowed to be currant here , during the time they are so allowed) it shall be adjudged treason, and the offenders therein, their Counsellors , Consentors , and Aiders shall suffer death, forfeit all their goods and chattels, and their lands also during life.

X X X V I I. Howbeit, this offence shall cause no corruption of blood, or forfeiture of Dower , and the trial of a Peer shall be by his Peers.

X X X V I I I. Stat. 29. El. 1. No record of attainder of treason shall be reversed, where the party attainted is executed for the same offence.

Trespafs.

I. The Stat. of Gloucester, cap. 8. 6. E. 1. Sheriffs shall plead pleas of trespafs in their Counties as they have been accustomed to be pleaded.

I I. None shall have writs of trespafs before Justices , unlesse he swear by his faith, that the goods taken away were worth 40 s. at least.

I I I. If he complain of beating , he shall answer by his faith, that his plaint is true ; but for maihems and wounds , a man shall have his writ, as before hath been used.

I V. The defendants in such pleas may make their attourneys, where appeal lieth not; so that if they be attainted of trespasse being absent , the Sheriff shall be commanded to take them, and they shall incur like pain , as they should have had, if they had been present at the Judgement given.

V. If the plaintiffs in such trespaffes cause themselves to be effoined after the first apparence, day shall be given them, till the coming of the Justices, and the defendants in the mean time shall be in peace.

V I. In such pleas and others, where attachments and distresses do lie, if the defendant effoin himself of the Kings service , and do not bring his warrant at the day given by the effoin, he shall recompence the plaintiff damages for his Journey 20 s. or more at the discretion of the Justices, and besides shall be grievously amerced to the King.

V I I. Stat.

VII. Stat. 43. El. 7. If any shall be convicted by his own confession, or by the testimony of one witnesse upon oath, before one Justice of Peace or Head-officer, to have unlawfully cut and taken away any grain growing, robbed any Orchard or Garden, digged up or taken away any fruit-trees, broken any hedges, pales, or other fences, cut or spoiled any woods or under-woods standing and growing, or the like, or to have been accessory thereunto, shall for the first offence pay unto the party grieved such damages, and within such time, as by the said Justice or Head-officer shall be appointed: And in case the party offending shall not by the said Justice or Officer be thought able to discharge the said damages, or shall not discharge them according to the order, then shall the said offender be by them, or either of them (respectively) committed to the Constable or other Officer of the place where the offence was committed, or the party apprehended, to be whipped; and for every other offence committed afterwards, and proved, as aforesaid, the party offending shall receive the like punishment of whipping.

VIII. The Constable or other inferior officer that herein refuseth or neglecteth to do his duty, shall by any such Justice of Peace or Head-officer be committed to prison without bail, till he whip or cause to be whipped the party offending, as is above limited.

IX. No Justice of Peace shall execute this Statute for offences done to himself, unless he be associated with one or more Justices of Peace, whom the offence doth not concern.

X. Stat. 21. Jac. 16. pars inde. In all actions of trespassse, *Quare clausum fregit*, wherein the defendant or defendants shall disclaim in his or their plea to make any title to the land, in which the trespass is by the declaration supposed to be done, and the trespassse be by negligence or involuntary, the defendant or defendants shall be admitted to plead a disclaimer, and that the trespassse was done by negligence or involuntary and a tender or offer of sufficient amends for such trespassse before the action brought, whereupon or upon some of which the plaintiff or plaintiffs shall be forced to joyn issue, and if the said issue be found for the defendant or defendants, or the plaintiffe or plaintiffs be non-suited, such plaintiffe or plaintiffs shall be clearly barred from the said action or actions, and all other suit concerning the same.

Trial.

Trial.

I. Stat. 9. E. 3. Stat. 1. cap. 4. Whereas many be delayed in their Actions, for that the tenants or defendants plead in bar a release, quit-claim, or other special deed made within a Franchise, where the Kings Writ runneth not; It is enacted, that when such deeds are shewed forth in bar of an Action, and bear date within a Franchise; albeit the witnesses named in the deed be of the Franchise, yet if the deed be denied, process shall be awarded in the Court where the plea depends, to cause the Countrey and the witnesses to appear, and if the witnesses come not at the great distresses returned, notwithstanding such absence of the witnesses, the Justices shall not let to proceed to the taking of the Enquest, as well as if such deed did bear date within the County, where the plea was moved, and that the witnesses were of the same County.

II. Stat. 2. H. 6. 29. The Statute of 28. E. 3. 13. (*which see in Staple*) ordering that an Enquest shall be *de medietate lingue*, where an Alien is party, is confirmed: and it is by this Act further declared, that the Statute of 2. H. 5. 3. (*which see in Jurors*) doth onely extend to enquests taken between Denizen and Denizen; so that an Alien may be put upon Enquests according to the Statute of 28. E. 3. albeit he have not lands of the yearly value of 40 s.

III. Stat. 20. H. 6. 9. Trial of Dutcheffes, Countesses, and Baronesses for treason or felony, shall be as of Noble men, Peers of the Realme, and not otherwise notwithstanding the Statute of *Magna Chart. cap. 29.* which mentioneth men only to be tried by their Peers: See that *Chapter of Mag. Chart. in Accusation.*

IV. Stat. 4. H. 8. 2. Pars inde. Where a murderer or felon (to delay his arraignment) pleads that he was taken out of a privileged place in a forreign County, and if it be alledged by the Kings Attourney (or some other in the Kings behalf) that he was taken in the County, where he is so to be arraigned, they shall be tried by the enquest, who are to trie the murder or felony, and before the same Justice; and if it be found, that he was taken in the same County, such forreign plea shall do him no advantage or benefit.

V. Stat. 27. H. 8. 4. Murders and robberies committed by Pirates upon the Sea, or in any other place where the Admiral pretends jurisdiction, shall be inquired, tried, heard, and determined in such Counties and places within the Realm, as shall be limited by the Kings Commission, in like manner as if such offences were done

done at land: And such Commissions (being under the Great Seal) shall be directed to the Lord Admiral, his Lieutenant or Deputy, and to three or four such others, as the Lord Chancellor shall name.

VI. The said Commissioners, or three of them, have power to inquire of such offences, by twelve lawful men of the County so limited in their Commission, as if such offences were done at land within the same County, and every Indictment so found and presented shall be good in Law; And such order, proceſſe, judgement, and execution shall be used, had, done and made thereupon, as against offenders for murder or felony done at land: Also the trial of such offences (if they be denied) shall be had by 12 men of the County limited in the said Commission (as aforesaid) and no Challenge shall be had for the hundred: And such as shall be convicted of such offences shall suffer death without benefit of Clergie, and forfeit lands and goods, as in case of felonies and murders done at land.

VII. This Act shall not prejudice any person or persons (urged by necessity) for taking Victuals, Cables, Ropes, Anchors, or Sailes out of another Ship, that may spare them, so as they either pay ready money or money-worth for them, or give a bill for the payment thereof, viz. if they be taken on this side the Straits of *Marocko*, within 4 moneths; but if beyond, within 12 moneths.

VIII. When any such Commission shall be sent to any place within the Jurisdiction of the Cinque-Ports, it shall be directed to the Warden of the said Ports or his deputy with 3 or 4 such other persons, as the Lord Chancellor shall name; And the Inquisition and Trial of such offences there shall be made and had by the Inhabitants of the said Ports and the members of the same.

IX. Stat. 28. H. 8. 15. This Act is *verbatim* the same with 27. H. 8. 4. save only, that it extends as well to Treasons and all other capital offences committed within the Admirals jurisdiction, as unto Felonies, Robberies, and Murders there done.

X. Stat. 33. H. 8. 12. The Mannor of the Triall and punishment of Murder and blood-shed within the Kings Court. See the Statute at large.

XI. Stat. 33. H. 8. 23. If any person being examined before the Kings Council or any 3 of them upon any treason, misprision of treason, or murder, doth confesse the same, or by the said Council is vehemently suspected to be guilty thereof, in this case the King shall direct a Commission of *Oyer* and *Terminer* to such persons and into such County or Place as he pleaseth for the speedy triall, conviction,

viction, or deliverance of such offenders; and here, no challenge for the County or Hundred shall be allowed, but a juror may be challenged, if he have not Free-hold worth 40 s. *per annum*; in this case also triall of a Peere shall be by his Peeres.

XII. Stat. 2. 3. E. 6. 24. Where any is feloniously stricken or poysoned in one County, and dieth of such stroke or poysoning in another County, an Indictment thereof found by jurors of the County where he dies, shall be as good in law, as if the stroke or poysoning had bin done in the County, where the partie so dies; And Justices of *Gaol-delivery* and *Oyer and Terminer* in the County, where such indictment is taken, as also the Justices of the Kings Bench before whom such indictment is removed, may proceed thereupon in all points, as if such stroke or poisoning and death had all happened in one and the same County.

XIII. Also an appeal may be commenced, taken, and sued in the County where the partie so stricken or poysoned shall die, as well against principal as accessary, in whatsoever Connty such accessary be guilty thereof; And the Justices before whom such appeal is prosecuted (within the yeare and day after the offence committed) shall proceed against every such accessary in the County, where such appeal is so taken in like manner, as if the offence of such accessary had been committed in the same County, as well concerning trial by Jurors upon the offenders plea of not guilty, as otherwise

XIV. Where any murder or Felony is committed in one County and moe persons be accessary thereunto in another County, an Indictment found and taken against such accessary before Justices of Peace or other Commissioners in the County where such person is accessary, shall be as good in law as if the principall offence had been committed in the same County.

XV. The Justices of *Gaol-delivery* or *Oyer and Terminer* (or two of them) of the County, where the party so became accessary, shall (upon request) write unto the *Custos Rotulorum*, where the principal shall be attainted or convicted, to certifie them whether the principal be attainted, convicted, or otherwise discharged; and then the Justices of *Gaol-delivery*, *Oyer and Terminer*, or others authoris'd, shall proceed upon every such accessary in like manner, as if both the principal offence and accessary had been committed in the County where the party so became accessary; and thereupon every such accessary shall answer upon his arraignment, and receive such triall, judgment, and execution, and suffer such pains and forfeitures, as are used in other cases of Felonie.

Vacations of Bishopricks.

I. *Magna charta*. 33. 9. H. 3. Patrons of Abbies shall have the custody of them in time of Vacation.

II. *Stat. pro clero*. 4. 14. E. 3. Escheators shall preserve from Waste and destruction the possessions of Archbishopricks, Bishopricks, and other Prelacies, during their vacations and the Chancellor and Treasurer shall demise them to the Dean and Chapter, or Prior and Covenant before any other, at a reasonable rate without fine; but if they will not take them, then shall the said Chancellor and Treasurer cause them to be preserved by the said Escheators, or others, and the reasonable profits thereof to be answered to the King.

III. *Stat. pro clero*, 5. 14. E 3. This Chapter is also for demising them to the Dean and Chapter, or Prior and Covenant, at as reasonable rate and without fine as before, and that the Escheator or other Minister shall not enter or molest them.

Vagabonds, Rogues, Beggars and Poor People.

I. *Stat.* 39. *El.* 4. Justices of Peace within every County and Corporation, have power in Sessions to give order for erection of houses of correction, and also for the maintenance and Government of the same, and for the punishment of offenders, which shall be thither committed.

II. All Scholars and Sea-faring men, which beg; All wandering persons which either beg, use unlawful games, and playes, feign themselves to have skill in Physiognomic, Palmestry, or the like, or pretend to tell fortunes; All persons that are, or pretend to be collectors for Gaols, Hospitals, &c. All Fencers, Bearwards, common Players, and Minstrels wandring abroad, other then such as shall be authorised by Noblemen under their hands and seals; All Juglers, Tinkers, Pedlars, and petty Chapmen wandring abroad; All labourers which wander and refuse to work for wages reasonably taxed, having no living otherwise to maintain themselves; all persons delivered out of Gaoles, which beg for their fees, or otherwise do travel begging, all which wander abroad begging, pretending loss by fire or otherwise; and all such persons (not being felons) wandring and pretending

rending themselves to be Egyptians, shall be adjudged Rogues, Vagabonds, and sturdy Beggars.

III. If any such Vagabond shall be taken begging, wandering, or misordering him or her selfe, he or she by the appointment of any Justice of Peace, Constable, Headborough, or Tithing-man there, (the two last being assisted by the Minister, and one other of the Parish) shall be stripped naked from the middle upwards, openly whipped till their body be bloody, and forthwith sent the next way from Parish to Parish, by the Officers of each Parish, towards the place of their birth: But if it cannot be known, then towards the place where they last dwelt, by the space of one whole year before such punishment, and if that cannot be known, then to the Town through which they last passed without punishment; and if it cannot be discovered where they were born, or last dwelt, as aforesaid, then are they to be conveyed by the Officer there to the house of correction, or common Gaole of the County, to be employed in work, or placed in some service, and so to continue by the space of one yeare, or in case they be not able of body, that Town is to keep them, till they may be placed in some Almes-house within the same County.

I V. After which whipping, the Vagabond shall have a testimonial under the hand and seal of the said Justice, Constable, head-Officer, Tithing-man, and Minister, or any two of them, testifying the day and place of his punishment, the place to which he is to be conveyed, and the time limited for his passage thither; which time, if by his own default he exceeds, he shall from time to time incur the like punishment, till he arrive at the place limited; the substance of which testimonial shall be registred by the said Minister in a Book provided for that purpose, in pain of 5 s.

V. If any such Rogue seem dangerous, or will not be reformed, two Justices of Peace (one of *Quorum*) shall commit him to the house of Correction; and if at the next Quarter-Sessions by the more part of the Justices there, he shall not be thought fit to be delivered, he shall by them be banished; and at the charge of that County shall be conveyed to such parts beyond the seas, as shall by six or more of the privy Council for that purpose be assigned, whereof the Lord Keeper or Treasurer to be one; or otherwise adjudged to the Gallies of the Realm, as the said Justices shall think fit: And if a Rogue so banished return without licence, he shall suffer as a felon, to be tried in the County where he shall be apprehended.

VI. If a Constable, Headborough, or Tithing-man, be found negligent in the due execution of this Act, they shall forfeit 10 s. for every default; and none shall make rescous against any Officer, or hinder the execution of this law, in pain of 5 l. and to be bound to the good behaviour.

VII. None shall transport such a rogue out of *Ireland*, *Scotland*, or the *Ile of Man* (being born in any of these places) in pain to forfeit 20 s. to the use of the poor where he lands: And if any then shall be hereafter found in *England* or *Wales*, they shall suffer punishment, and be conveyed the next way home, as aforesaid; or (in case they came by Sea,) to the place where they landed, from whence they are to be transported) at the charge of that County to the place from whence they came.

VIII. No impotent poor person shall passe to the *Bath* or *Buxton* without being licensed to pass by two Justices of Peace where they dwell, and provided with relief both for their journey, and abode there, and shall also returne within the time limited by their licence, in pain to be reputed and punished as Rogues; and the City of *Bath* or towne of *Buxton* shall not be chargeable with any such.

IX. Justices of Peace of the Counties shall not intermedle in Cities, or Corporations, but onely the Officers of the same, who shall have like power there, as the said Justices have in Counties.

X. This Act shall not extend to restraine the power, which the City of *London* hath in the Government of *Saint Thomas Hospital* in *Southwarke*, or to prejudice any Jurisdiction or Inheritance of *John Dutton* of *Dutton*, in the County of *Chester* Esquire.

XI. The forfeitures and fines which shall accrue by this Act (other then that above otherwise limited) shall be employed for the maintenance of houses of correction, or the relief of the poore where the offence shall be committed, at the discretion of the said Justices of Peace, and may be levied by warrant under the hands and seales of two Justices of Peace by distresse and sale of goods: And here the confession of the offender, or prooffe by two witnesses before two such Justices shall be sufficient conviction.

XII. Two Justices of Peace (one *Quorum*) shall have full power to hear and determine all causes which may come in question by reason of this Act.

XIII. The Lord Chancellor or Keeper for the time being, shall have power to make Commissioners to enquire of money given towards the erection or maintenance of houses of correction, stocks for poor or other such like uses.

XIV. A Seafaring man suffering shipwrack, not having where-
withall

withall to relieve himselfe, and having a testimonial under some Justice of Peace his hand and Seal; neer the place where he landed, declaring the time and place of his landing, the place of his dwelling or birth, unto which he is to passe, and the time limited for his passage, may, in the direct way home, and within the time so limited for his passage, aske and receive necessary relief, without incurring the penalties of this Act.

X V. This Act shall not extend to children under seven years old, nor to glasse-men, which travel without begging, by licences under the hands and seals of three Justices of Peace (one *Quorum*) of the County through which they travell.

X V I. Stat. 39. El. 17. Wandring Souldiers and Mariners and all others wandring as Souldiers or Mariners wh ch will not settle themselves to work, or have not a testimonial under the hand of some one Justice of Peace neer the place of their landing, setting down the place where they landed, the place whither they are to passe, and the time of their passage, or having a testimoniall exceed the time therein limited above fourteen days, or counterfeit, testimoniall, or produce one which they know to be counterfeit, shall in all these cases suffer as felons without benefit of Clergy.

X V I I. Justices of Assise, Gaol-delivery, and of Peace, in their Sessions, have power to proceed against these offenders, as in case of Felonie without Clergy, unlesse some sufficient man (allowed by the Justices) will enter into a Recognisance of 10 li. to the Queen, to retain the offender for one whole year, and to bring him to the next sessions of peace and Gaol-delivery after the year ended. And if he within the year depart that service without licence, he shall afterwards suffer as a Felon without Clergie.

X V I I I. Souldiers and Mariners, which fall sick in their passage home, shall be excused though they exceed the time limited in their testimonial, so that they performe this Act in convenient time after their recovery.

X I X. If, when they come home, they cannot get work the two next Justices (upon their complaint) shall take order, that they may be provided of work or otherwise, shall tax the whole hundred for their reliefe, untill work may be had.

X X. The Souldier or Mariner (licenced by a Justice of Peace to whom he shall make his poverty known) having not wherewith to bear his Charges home, may aske and take reliefe so it be in his direct way home, and within the time limited by his licence.

X X I. These offences shall cause no corruption of blood.

X X I I.

XXII. Stat. 1. Jac. 7. Noble Parsonages shall authorize none to go wandering abroad; and Glas-men shall be reputed and used as Rogues, notwithstanding the Statute of 39 *El.* 4.

XXIII. Instead of Banishing an incorrigible rogue, or committing him to the Gallies (as was ordained by 39. *El.* 4) he shall in open Sessions be branded in the left shoulder with a burning iron, having a great Roman R. upon it as broad as a shilling; And from thence shall be sent to the place of his last dwelling; (if that cannot be known) to the place of his birth; After which time if he offend againe, he shall suffer as a felon, without benefit of Clergie.

XXIV. Every person that seeth or knoweth any rogue to beg shall convey, or cause him to be conveyed to the next Constable or Tithing-man, in pain of 18 s. to be levied and employed as the forfeitures of 39. *El.* 4. and in default thereof, then by the Lord of the Leet, or his officer, in like manner as the persons authorized by the said Statute should have levied and imployed the same. And here also if the Constable or Tithing-man do not punish him according to that Statute, he shall forfeit 20 s. to be also levied and imployed, as by the same Statute is appointed.

XXV. This Act shall not prejudice the jurisdiction or inheritance of *John Dutton* of *Dutton* in the County of *Chester* Esquire.

XXVI. Stat. 7. Jac. 4. There shall be an house of Correction provided in every Shire to set rogues and other idle people to worke.

XXVII. The Justices in Sessions shall from time to time, appoint a Governour for the said house, who shall have power to set such Rogues and idle people to worke, and to punish them by moderate whipping or putting fetters or gives upon them; which rogues and idle persons shall not be chargeable to the Countrey; nor have other allowance then what they shall deserve by their own labour.

XXVIII. The said Justices shall at least twice every yeare within their severall divisions (and oftner if need be) assemble and meet together for the better execution of this Statute, and some four or five dayes before their meeting, shall by warrant command the Constables and Tithing-men of every hundred, towne, and hamlet, (being assisted with other sufficient men) to make a general privie search in one night within their severall Precincts, for the finding and apprehending of Rogues, &c. and such as shall be found, to bring them to the said meeting, to be examined, punished, or sent to the house or houses of correction, there to be set to work.

XXIX. The said Constables and Tithing-men shall appear at the said meeting, and there give an accompt upon oath in writing

ing, under the Masters hand, testifying the Rogues, &c. they have taken in the last search, or since the last meeting, and how many have beene punished, or otherwise sent to the house of correction: Which if they neglect to do, or safely to convey such to the house of correction, as by the said Justices warrant shall be committed thither, they shall incurre what fine the said Justices shall please to set upon them, so it exceed not 40 s.

X X X. The Governors of the houses of correction shall have such a summe of money yearly, as shall be thought fit by the more part of the Justices of Peace in Sessions, the same to be paid quarterly before-hand by the Treasurers of the County, the Governors giving security for their continuance in the said service.

X X X I. If any lewd woman have a Bastard which may be chargeable to the Parish, the Justices of Peace shall commit her to the house of correction, there to be punished, and set to worke one whole yeare; And if she offend againe, then is she to be committed againe, there to remain till she put in good sureties for the good behaviour, and not to offend so againe.

X X X I I. Persons running away and leaving their charge to the Parish, shall be deemed and punished as incorrigible rogues: And those that threaten so to do (it being proved by two witnesses upon oath before two Justices of Peace of the same division) shall be by the same Justices sent to the house of correction, there to be punished as sturdy rogues, (unlesse they will put in sufficient sureties to discharge the towne) and not to be delivered but at such a meeting, as aforesaid; or in open Sessions.

X X X I I I. If the Governors shall not every Quarter-Sessions yeeld to the said Justices a true account of all such persons as shall be committed to their custody: Or if they suffer any within their charge to make escape, or to be troublesome to the Countrey by going abroad, or otherwise, they shall incur what fine the same Justices in Sessions shall think fit to impose upon them.

X X X I V. All Fines which shall accrue by this Act (other then those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

Victual, Victuallers, Inholders, and Hostlers.

I. Stat. 12.E.2.6. No person in any City or Burrough, which by reason of his office ought to keep the Assizes of wine and Victuals, as long as he shall be attendant upon his office, shall buy or sell wines or victuals, in pain to forfeit the same to the King, whereof

whereof the proſecutor ſhall have the third part of the Kings gift.

II. Stat. 23. E. 3. 6. All Butchers, Fiſhmongers, Regrators, Hoſtlers, Brewers, Bakers, Poulters, and all other ſellers of viſtuals, ſhall ſell the ſame at reaſonable prices, and for moderate gain in pain (upon proof of the contrary, before the Sheriff or the Kings Bailiffs, or before the Conſtables of the place, by the evidence of two true men) to forfeit the double value thereof to the party damaged, or (in his default) to him that will ſue for the ſame; And all Majors, and Head-officers of Corporations have like power, and upon neglect of their duty herein ſhall forfeit the treble value thereof to the party or proſecutor, as aforeſaid; and beſides ſhall incur a fine to the King, to be impoſed by the Juſtices to be aſſigned by the King.

III. Stat. 31. E. 3. 10. Every man that bringeth viſtual to London may freely ſell the ſame without the interruption or impeachment of any.

IV. The Major and Aldermen of London may rule and redreſs the defaults of Fiſhmongers, Butchers, and Poulters, as they do of ſuch as ſell beer; ale, or wine, notwithstanding any Franchiſe, Statutes, Cuſtome, or other priviledge to the contrary; And they ſhall put the ſame in due execution, upon the pain ordained by the Statute of 28. E. 3. 10. which ſee in London.

V. Stat. 6. R. 2. Stat. 1. 9. No viſtualler in London, or any other City, Burrough, or Port of the ſea, ſhall exerciſe any judicial office there, and in caſe any be choſen in the places aforeſaid in ſuch office, he ſhall forbear to uſe viſtualling, during the time he exerciſeth ſuch office, in pain to be forfeit the viſtuals ſold.

VI. Stat. 6. R. 2. 10. Aliens (being in amity with the King and Realm) may bring in viſtual, and ſell the ſame in groſs, or by retail without the impeachment of any: See Stat 11. R. 2. 7. 1. H. 4. 17 & 14 H. 6. 6.

VII. Stat. 7. R. 2. 11. All Vintners and Viſtuallers, as well Fiſhmongers as other comming with their viſtuals to London, ſhall be under the governance of the Major and Aldermen of that City, as hath been heretofore uſed.

VIII. Stat. 13. R. 2. 8 Viſtuallers ſhall ſell their viſtuals at ſuch reaſonable prices, as ſhall be ſet down by the Juſtices of Peace in two of their Seſſ. to be holden betwixt Eaſter and Michaelmas, in pain to be puniſhed at the diſcretion of the ſaid Juſtices, where no pain is already limited in certain.

IX. And here Sheriffs Stewards, Majors, Bailiffs, and all o-

thers, which have power to keep Assize of Bread and Ale, shall take no fine or amerciamment for any default touching the Assize, for which the offender ought by law to have bodily punishment.

X. Stat. 23. H. 6. 13. Justices of Peace shall twice every year cause all Statutes concerning Victuallers (before this time made) to be openly proclaimed in Sess.

X I. Stat. 12. E. 4. 8. No person (other then Majors, Bailiffs, Lords of Leets, or others in point of Charter) shall execute any office of searching or surveying of Wine, Ale, Beer, or any other victual, or of the correction of breaking the Assize thereof, in pain to forfeit 40 l. to be divided betwixt the King and the prosecutor. And all Letters patents of the King granted for that purpose shall be void.

X II. Stat. 3. H. 8. 8. When a Victualler (in a City or Corporation) is chosen to bear an office, by reason whereof he ought also to have the Assizing of Victual, during that time, two other (being no Victuallers) shall be joyned and sworne with him, truly to assess and set prices and assizes of victual there, and they shall be so sold accordingly: but here the Officers in London, York, and Coventry are excepted.

X III. Stat. 25. H. 8. 2. The prices of victual in all places (except Corporations) shall be assessed by the Kings Councillors, Justices of either Bench, and some other great Officers: *For which see the Statute at large.*

X I V. Provided, that Head-officers in Corporations and others (having authority to prise victual) may still assess the prices thereof, as if this Statute had not been made.

X V. No Corn, Beefs, Muttons, Veals, Porks, or other Victual shall be transported beyond sea (except for victualling of Ships and barrelled butter, and meal to be carried into Island) in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

X V I. Stat. 1, 3. E. 6. 15. Butchers, Brewers, Bakers, Poulters, Cooks, Costermongers, or Fruiterers, which conspire or promise together, that they will not sell their victuals, but at certain prices shall forfeit for the first offence 10 l. to the King: and if they pay it not within six dayes after conviction, they shall suffer twenty dayes imprisonment, and during that time shall have no sustenance but bread and water; for the second offence they shall forfeit 20 l. and that not paid within six dayes, as aforesaid, shall suffer the pillory: and for the third offence shall forfeit 40 l. and that not

notpaid within the time above-limited, shall again suffer the Pillory, lose one of their ears, and be ever after taken as men infamous, and not to be credited: And if such conspiracy be acted by the more part of a Company of such Victuallers, their Corporation shall be thereupon dissolved.

XVII. Justices of Peace, Majors, Bailiffs and Stewards, in Sessions, Leets, and Courts have power to hear and determine these offences.

XVIII. Stat. 1, 2, P. M. 5. None shall transport beyond sea, or into Scotland any corn or grain of English growth, or malt made there, or any beer, butter, cheese, hering, or wood, without lawful authority; in pain that the owner of the vessel in which they are so transported shall forfeit his vessel, the owner of the said Commodity so transported the double value thereof; and the Master and Mariners, all their goods, and suffer a years imprisonment without bail: Neither shall any convey by any vessel any of the aforesaid commodities to any other Ship or Vessel to be transported, in pain to incur the like forfeitures and penalties.

XIX. The one moiety of the said forfeitures shall accrue to the King and Queen, and the other to the prosecutor.

XX. In case the King and Queen, their heirs or successors grant licence to transport such commodities, the licenced shall not transport more then the licence allowes, in pain to forfeit the treble value thereof, and to suffer a years imprisonment without bail: And such licence shall ship the said commodities at one and the same place, in pain to forfeit all his goods and chattels, to be divided, as followeth, viz, the one moiety to the King and Queen, and the other to the prosecutor.

XXI. Justices of the Peace have power to examine all offenders against this Act, and to hear and determine (by the oathes of twelve lawful men) the offences committed against the same.

XXII. Provided, that when wheat shall not exceed the price of 6 s. 8 d. Rie, of 4 s. and Barley of 3 s. 4 d. the quarter, it shall be lawful to transport them, notwithstanding this Act: Neither shall this Statute impeach the necessary victualling of Ships, or the Admirals Jurisdiction: *Howbeit, as to the transportation of Corn, this Statute hath since been divers times altered by sundry subsequent Acts, viz. 13. El. 1. Jac. 25. and 21. Jac. 28. and last of all, by 3. Car. 4. (which see in Corn) and so it stands at this day.*

XXIII. Stat. 21. Jac. 21. The Statute of 32. H. 8. 41. together with other Statutes concerning horse-bread is repealed.

XXIV. Inholders and Hostlers shall make no horse-bread,

shall sell their hay, provender, and victuals at reasonable prices, and shall take nothing for litter.

XXV. This Act shall not restrain those that dwell in a Thoroughfare, (which is no Market-town, and wherein there is no Baker) to make horse-bread, according to the just assize.

XXVI. Justices of Oyer and Terminer, Justices of Peace, Sheriffs in turnes, and Stewards in Leets have power to hear and determine these offences.

XXVII. If any Inholder or hostler, which hath power (by this Act) to make horse-bread, observe not the Assize, or if he or any other offend this law in any other kinde whatsoever, for the first offence they shall be fined, for the second suffer a moneths imprisonment without bail, for the third be set upon the Pillory, and for the fourth shall be forejudged from ever keeping an Inn again.

View.

I. *Stat. 2.48.13.E.1.* View of land shall not be granted, but where it is necessary: for example, if one lose land by default, and afterwards moveth for a writ to demand the same land; or when one by an exception dilatory abateth a writ after view had, as by non-tenure, misnaming of the Town, or the like; In these cases, upon purchase of another writ view shall not be granted, if he had view in the first writ: so in a writ of dower, when the dower in demand is of land, which the husband aliened to the tenant, or his ancestors, whereof the tenant ought not to be ignorant; Here, albeit the husband died not seised, yet view shall not be granted to the tenant: Also in a writ of entry, which abated, because the demandant misnamed the entry; here if the demandant purchase another writ of entry, the tenant having had view in the first writ shall not have it in the second: Likewise, in all writs, where lands are demanded by reason of a lease made by the demandant or his ancestor to the tenant himself, being within age, *non compos mentis*, in prison, or the like, view shall not be granted, but if the demise were made to his ancestor, view shall lie, as hath been heretofore used.

II. *Stat. de visu terre, & Essoin de servitio Domini Regis 12. E. 2.* View shall be granted in a writ of ward, of custonies and services of Advowson of a Church (*viz.* when there be more Churches then one in a Town, and all of one Saint) of Dower to be assigned, and of *Nuper obiit*.

Villenage.

I. **The Statute of Purveyors**, cap. 18. 25. E. 3. Notwithstanding adjournment made in Eyre, by writ, *de libertate probanda*, purchased in favour of Villeins to delay their Lords in their actions for such Villeins, the Lords may in all writs plead the exception of Villenage against them, whether such writ were purchased by deceit, or otherwise; The Lords also may seize their bodies, as well as they might have done before such writs *de libertate probanda* purchased.

II. **Stat. 38. E. 3. 17.** No writ shall be abated by exception of Cognisance of Villenage, if the demandant or Plaintiff will aver, that the party alledging the exception was free the day of the writ purchased.

III. **Stat. 9. R. 2. 2.** Because divers Villeins and Niefs did flee to London and other enfranchised places, & there did feign divers suites against their Lords, with intent to make themselves free by their Lords answers, it was ordained that from henceforth no Lord should be barred of his Villein because of his answer in Law.

Union and severing of Churches.

I. **Stat. 37. H. 8. 21.** An Union or Consolidation of two Churches in one, or of a Church and a Chappell in one, the one of them not being above the yearly value of 6 l. in the Kings bookes, nor distant from the other above a mile, may be had and made by the assent of the Ordinarie, the incumbents, and all such as have a just right, title, and interest to the Patronages thereof, being of full age: And all such Union and Consolidation shall remain as good in law, as if it had been so declared by writing under the seals of such Ordinarie, incumbents, and Patrons.

II. All such Unions heretofore made are confirmed; Howbeit, the Kings tenths and first-fruits of such Churches and Chappels already, or hereafter to be so consolidated, are saved.

III. Such Consolidations shall not be in Corporate towns without the consent of the Magistrates thereof, declared in writing under their Common Seal.

IV. Provided, that where the Inhabitants of any such Parish or the more part of them, within a year after such Union, by their writing sufficient in law, shall assure the Incumbent there and his successors so much money yearly, which together with the value

thereof in the Kings books shall amount to 8*l*. that then such union shall be void : Howbeit, this *proviso* shall not extend to any such union made before this Statute.

V. Stat. 1. E. 6. 9. An Act for uniting certain Churches in *York*, with divers clauses concerning that matter.

VI. Stat. 1. M. Parl. 1. 14. An Act for re-edifying the Church of Saint *Ellens* in *Stangate* in *York*, which was demolished by the former Statute. See these Statutes at large.

Universities.

I. Stat. 2, 3. P. M. 15. No Purveyor, Taker, Badger, Loader, or other Minister shall take or bargain for any victual or graine in the Markets of *Oxford* or *Cambridge*, or in any part of the said Cite and Towne, or within 5 miles compasse of either of them without the consent of the owner, nor shall take away or bargain for any such commoditie bought or provided within the said five miles by any common minister of any Colledge or Hall thereto be spent in such Colledge or Hall, in pain to forfeit the quadruple value thereof, and to suffer three moneths imprisonment without bail.

II. The Chancellor, or Vice-Chancellor, or his Commissary in either of the said Universities with two Justices of P. of the County adjacent have power to inquire, hear, and determine the said offences.

III. The forfeitures shall be divided betwixt the University where such offence is committed, and the prosecutor, and may be recovered in any Court of Record, or before the said Chancellor, Vice-Chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queens presence (her heirs and successors) or within seven miles distance therefrom.

V. The Liberties of the Majors, Bailiffs, and Communalties of *Oxford* and *Cambridge* are saved.

VI. Stat. 13. El. 21. No Purveyor, Taker, Badger, Loader, Poulter, or other Minister of the Queen, her heirs and successors, shall take or bargain for any grain or other victual in either of the said Universities, nor within the compasse of five miles from either of them, without licence of either of the said Chancellors or Vice-Chancellors, in writing under the seal of their office, and not otherwise then as in the said licence is expressed, and so as the same give unto them no further power then they may lawfully use in

in other parts of the Countrey without the said five miles ; neither shall they take away or bargain for any such commodity bought and provided for any Colledge or Hall to be spent within the same without such licence, as aforesaid, upon such pains and forfeitures, as by the Statute of 2, 3. P. M. 15. are ordained, and to like uses, as are therein limited.

VII. The said Chancellors or Vice-Chancellors, with two Justices of Peace of the Universities, City, Town, or County, shall inquire, hear and determine the said offences, as by the said Statute of 2, 3. P. M. is appointed.

VIII. If any person within the said five miles refuse to serve the Universities, then it shall be lawful for the Queens purveyors to provide (for the Queens use) any corn or victual of any such person within the said five miles, as shall be declared to the said purveyors to be persons not worthy of the said privilege (for not serving the Universities) by the Chancellor or Vice-Chancellor with the consent of two such Justices, as aforesaid, under the hands and seals of the said Chancellor, or Vice-Chancellor, and two Justices, in such sort as the said purveyors lawfully may in any other place without the said five miles, and not otherwise.

IX. This Act shall be in suspence, during the Queens presence there, or within seven miles distance.

X. The Liberties of the Majors, Bailiffs and Communalities of Oxford and Cambridge are saved.

Voucher.

I. *Marlbz.* 29. 52. H. 3. None vouched to Warranty before Justices in Eyre, in plea of land, shall be amerced, because he was not present, when he was vouched, except it be the first day of the coming of the Justices : but, if the party be within the County, the Sheriff shall cause him to come in within three or four dayes ; and if out of the County, he shall have summons of 15 dayes at least.

II. *Westm.* 1. 39. 3. E. 1. In writs of Possession, as *Mortdancestor*, *Cofinage*, *Aiel*, *nuper obiit*, *Intrusion*, or the like, whereby land is demanded, which ought to descend, revert, remain, or Escheat by the death of any ancestor, or otherwise, if the tenant vouch to Warranty, and the demandant will counterplead him, and aver (by assize or by the Countrey, as the Court shall award) that the tenant or his Ancestor (whose heir he is) was the first that entred after the death of him, of whose seisin he demandeth, this averment shall be

be received, if the tenant will abide thereupon; but if not, he shall be compelled to another answer unless he have his Warrantor present, who will immediately enter into the Warranty: And then also, the demandant may have the like exception against the Voucher, as he had against the first tenant.

III. In a writ of Entry in the degrees none shall vouch out of the line.

IV. In writs of right and of possession (as before) it is also a good counterplea, that neither the Vouchee nor his Ancestors had ever seisin of the land, or any thing in the services by the hand of the tenant or his ancestors, from the time of the seisin, whereof the demandant declares, until the writ purchased, so that he might a feoffment make to the tenant or his ancestors; And this averment of the demandant shall be also received, if the tenant will abide thereupon; but if not, the tenant shall be compelled to another, as before, unless the Vouchee be present, and will immediately enter into Warranty; And then also the demandant may have like exception, as before.

V. If the tenant have a deed, that comprised Warranty of another man, his recovery by a Writ *de warrantia carte*, out of the Chancery shall be saved to him; howbeit the plea shall not be delayed by reason thereof.

VI. **The Statute of Gloucester. 12.6. E. 1.** If a man impleaded for a tenement in *London*, vouch a foreigner to Warranty, he shall have a Writ out of the Chancery, to summon the Warrantor at a certain day before the Justices of the Bench, and another to the Major and Bailiffs of *London* to surcease the matter before them, until the plea of the Warranty be determined in the Bench, and when the plea at the Bench shall be determined, then shall the Vouchee be commanded to go into the City to answer the chief plea, and a Writ shall also be awarded at the Demandants suit by the Justices to the Major and Bailiffs, to cause them to proceed in the plea; And if the Demandant recover against the tenant, the tenant shall come before the Justices of the Bench, who shall direct a Writ to the Major and Bailiffs, to cause the land so lost by the tenant to be extended and valued, and to return that extent at a certain day unto the Bench, and after the Sheriff of the County (where the Warranty was summoned) shall be commanded to deliver to the Voucher land of the Vouchee answerable in value to the land that the Voucher hath lost; *see a correction, and some enlargement of this Statute,*

9. E. 1.

VII.

VII. Westm. 1. 6. 13. 2. 1. As the tenant shall lose the land in demand, in case where his Vouchee dischargeth himself of the Warranty, so also shall the Vouchee lose, where he denieth the Warranty, and it be tried against him: Also, where an Enquest is depending between the tenant and his Vouchee, and the Demandant will require a Writ to cause the Jury to come, it shall be granted him.

VIII. The Statute of Vouchers, 20. E. 1. This counterplea of Voucher, viz. that neither the Vouchee nor his ancestors had ever any thing in the land, so that he might a feoffment make with Warranty, shall be received, albeit the Vouchee be ready to enter into Warranty.

IX. Stat. 14. E. 3. 18. Where the tenant voucheth to Warranty a dead-man, the Demandant shall be received, to averre, that the Vouche is dead, or that there is none such.

Upholsters.

I. Stat. 11. H. 7. 19. None shall put to sale in Faires or Markets any Featherbeds, Bolsters, or Pillows, except such as are stuffed with one sort of stuff, viz. drie pulled feathers, or cleane downe, and not with scalded feathers, fen-down, or any other unlawful corrupt stuffe, in pain to forfeit the same: Howbeit any (for their private use) may make or cause to be made any such unlawful stuffe or wares, so as the same be not exposed to sale in Faires or Markets, upon the like paine.

II. Also Quilts, Mattresses, and Cushions, shall be stuffed with one sort of stuffe onely, viz. cleane wool, or cleane flocks, and not with horse-haire, Fenne-downe, Neats-haire, Goats-haire, or other unlawfull stuffe, in paine to forfeit the same.

III. Stat. 5. 6. E. 6. 23. None shall make (to the intent to sell or offer to be sold) any Feather-bed, Boulster, or Pillow, except the same be stuffed with drie pulled feathers, or cleane downe onely without mingling of Scalded Feathers, Fenne-downe, Thistledowne, Sand, Lyme, Gravel, or other lawful or corrupt stuffe, in pain to forfeit the same (so offered to be sold) or the value thereof.

IV. None shall make (to the intent to sell or offer to be sold) any Quilt, Mattresse, or Cushions, stuffed with any other stuffe, then feathers, wool, or flocks alone, in pain to forfeit the same (so sold or put to sale) or the value thereof.

V. The Forfeitures aforesaid are to be divided betwixt the King and the Prosecutor.

Uses.

I. Stat. 1. R. 3. 1. All grants, conveyances, recoveries, and other assurances made by *Cesty que use* (being of full age, *compos mentis*, and at large) shall be good against him, and all others claiming as his heire or heires or to his use: But here, the right of all others is saved.

II. Stat. 1. H. 7. 1. The Demandant in a *Formedon* (in descender or remainder) may have his Action against the Pernor of the profits, and such Pernor shall have such Voucher, Lye, aids prayer, and all other advantages, as he should have if he were tenant indeed, or his Feoffors should have, if the action were brought against them; And if such Pernor happen to die, his heir being within age, his heir shall also have his age, and all other advantages, as if his ancestor had died seised of the land in demand; Also all recoveries had against such Pernors, their Heirs or their Feoffees, or Co-feoffees and their heirs, shall be as good as if such Pernors were tenants indeed or feoffees to their use, at the time of such actions brought.

III. Stat. 3. H. 7. 4. All Deeds of gift of goods and Chattels made in trust to the use of the grantor shall be void.

IV. Stat. 19. H. 7. 15. The Sheriffe or other Officer having a writ to execute upon lands against any person upon any Judgement, Statute, or Recognisance may deliver execution to the plaintiff of all lands and tenements whereof any other is seised to the use of him, against whom execution is so sued.

V. Also the heire of *Cesty que use* of land in soccage, shall pay reliefe, Herriot, and all other duties to the Lord of the fee, as if his ancestors had died seised thereof.

VI. Howbeit, upon such execution served, as aforesaid, *Cesty que use* shall have all such advantage, as he might have, if he were seised of the land.

VII. *Cesty que use* being a bond-man, the land may be seised by his Lord.

VIII. Stat. 27. H. 8. 10. Where any person or persons stand or be seised of any Honours, Mannors, Lands, Tenements, Rents, Services, Reversions, Remainders, or other Hereditaments, to the use, confidence, or trust of any other person, or persons, or of any bo-

dy politick, by reason of any bargain, sale, feofment, fine, recovery, covenant, contract, agreement, will, or otherwise; In every such case, every such person and persons, and bodie politick, having such use, confidence, or trust, in fee-simple, fee-tail, for life, or years, or otherwise, or any use, confidence, or trust, in remainder, or reverter, shall stand and be seised, deemed and adjudged in lawful seisin, estate, and possession of and in the Honours, Castles, &c. With their appurtenances, of and in such like estates, as they have in use, trust, or confidence, of or in the same; And the estate, title, right, and possession of such person or persons, as are seised of any Lands, Tenements, or Hereditaments, to the use, confidence, or trust of any such person or persons, or body politick, shall be deemed and adjudged to be in him or them, that have such use, confidence, or trust after such quality, manner, form, and condition, as they had before, in or to the use, confidence, or trust, that was in them.

IX. When divers persons are so seised to the use, confidence, or trust of any of themselves, they (amongst them) that have such use, or trust shall likewise have the seisin, estate, and possession, in such quality, manner, and condition, as they had the use or trust.

X. Howbeit, the right, title, &c. of all other, (except of the persons so seised to any use or trust) is saved, and all former right, title, &c. is also saved to them.

XI. Where any be seised to the use or intent, that another shall have a yearly rent out of the same lands, *Cesty que use* of the rent shall be deemed in the possession thereof, of like estate as he or she had that use, and shall distrain for non-payment of the said rent, and make Avowries, Conusances, and Justifications, and use all other remedies therein, as if the said rent had been actually granted to such *Cesty que use*.

XII. Where an estate is made in possession or use to husband and wife, and his heires or the heires of their two bodies, or of one of their bodies, or to them for their lives, or for the wives life for her joynture, in any of these cases, she shall not have dower: Howbeit upon a lawful eviction of that joynture, she shall be endowed, according to the rate of her husbands land, whereof she was dowable.

XIII. Such a joynture being made after Marriage, the wife (after her husbands death) may refuse it, and betake her to her dower, unlesse such joynture be made by Act of Parliament.

XIV. Provided, that this Act shall not extinguish, release, discharge,

charge or suspend any Statute, Recognisance, or other bond, by the execution of any estate settled by force of this Act.

XV. All Wills and Testaments heretofore made, or hereafter to be made before the first of *May*, 1536. shall be good in law, in such manner, as they were commonly taken and used within 40 years before the making of this Act.

XVI. The King shall not take advantage by occasion of the executing of any estate by authority of this Act, before the first of *May*, 1536 *viz.* by having or demanding any *primer seisin*, livery, *Ouster le main*, fine for alienation, relief, or Herriot: but after that time fines for alienations, reliefs, and herriots shall be paid to the King, and also liveries, and *Ouster le mains* shall be sued for uses, trusts, and confidences, which shall be from thenceforth made and executed in possession by force of this Act, neither shall any other Lord demand or take any fine, relief, or herriot, by occasion of this Statute, before the said first of *May* 1536.

XVII. This Act shall not be prejudicial to any person or persons born in *Wales* or the Marches thereof, who have any estate to them, executed by force of this Act, in any lands in this Realm, whereof any other person now stands seized to their use; but such person or persons born there may lawfully have and keep all such lands by authority of this Act, according to the tenor thereof.

Usury.

I. Stat. 37. H. 8. 9. None shall sell his wares or Merhandize to any, and within three moneths after buy the same again at a lesser price, knowing them to be the same wares, or buy any corrupt bargain of wares, money, or other thing; or buy any Mortgage of land, and take in gain for giving day of payment, more then according to the rate of 10 *l. per centum* for one whole year, in pain to forfeit the treble value of the wares or money so put forth, or the treble value of the profits of such lands mortgaged, to be divided betwixt the King and the prosecutor, and besides shall suffer imprisonment, and make fine at the Kings will.

II. Stat. 13. El. 8. All Bonds, Contracts, and Assurances upon Usury, in lending or doing any thing contrary to the Statute of 37. H. 8. 9. shall be void, and all Brokers and Solicitors thereof, shall be adjudged and used as Counsellors, Attourneys, or Advocates, in any case of *Premunire*.

III. He that takes no more then after the rate of 10 *l. per centum* or lesse, shall onely forfeit the interest, to be recovered and imployed as the forfeitures of 37. H. 8. 9.

IV. Justices of Oyer and Terminer, of Assize, and of Peace in their Circuits and Sessions, and Majors, Sheriffs, and Bailiffs of Cities, have power to hear and determine all offences committed against 37. H. 8. 9.

V. The Statute of 37. H. 8. 9. shall be construed largely and strongly against the party offending by any way or device directly or indirectly.

VI. This Act shall not extend to any allowances or payments for the finding of Orphanes, according to the ancient rates of *London*, or of any other City where order is taken for their custody and goods, as in *London*.

VII. The offender against the Stat. of 37. H. 8. 9. may also be punished by the Ecclesiastical Laws.

VIII. Stat. 21. Jac. 17. None shall upon any contract, directly or indirectly take for the loan of any money or other commodities above the rate of 8 *l. per centum*, for one whole year, in pain to forfeit the treble value of the money, or other things lent.

IX. No Scrivener, Broker or Solicitor shall take or receive directly or indirectly for Brokage above the rate of 5. s. for the loan of 100 *l.* for one whole yeare, nor above 12. *d.* for making of a Bond, in pain to forfeit 20 *l.* to be divided betwixt the King and the prosecutor, and also to suffer six moneths imprisonment.

Wager of Law.

I. Mag. Chart. 28. 9. H. 3. **N**O Bailiff shall put any man to his open law, or to an oath, upon his own bare saying, without faithful witnesses brought in for the same.

II. Stat. 38. E. 3. 5. Any man may wage his law (by sufficient people of his condition) against *Londoners* papers, and the Creditor shall take surety otherwise, if he please, but shall not put the party to plead to the Enquest, unless he will so do of his own accord.

III. Stat. 5. H. 4. 8. In Actions of debt upon the arrerages of an account, teigning (to the intent to put the defendants from their law) that the same was found before their Apprentices or servants,
as

as Auditors assigned therein, it shall be in the Judges discretion upon examination of the Attourneys (or whom else they please) to receive the defendants to their law, or to trie the same by Enquest.

Wales.

I. The second Volumn of the Book of Old Statutes is a long Act made Anno 12. E. 1. entituled Statuta Wallie, whereby it appeareth, that Wales was then incorporated and united to England, and there you shall also finde many good lawes concerning the division of Wales into Counties, Trials, and Division of Actions, together with divers formes of writs, and the proceeding thereupon much like to the Lawes of England; for all which see there that Act at large.

II. Stat. 28. E. 3. 2. All Lords of the Marches of Wales shall be perpetually attending and annexed to the Crown of England, as they and their ancestors have been in times past, and not to the Principality of Wales, in whose hands soever the same shall come.

III. Stat. 9. H. 4. 4. No thiefe or felon in Wales (openly known) shall be suffered to disclaime our of the Seigniory, where the felony was committed. But such manner of disclaimer shall be from henceforth utterly put out: and such thieves shall be put to answer to Indictments and other accusations in the Seigniory, where they are taken, without being delivered by disclaiming or Letters of Marque.

IV. Stat. 2. H. 5. Stat. 2. 5. If a Welsh-man, that doth forcibly take and detein an English-man until he be ransomed, will not upon proceffe awarded against him by the Justices appear and answer the same until he be outlawed; the Justices shall certifie the same under their seals to the Officers of the Seigniories, where such outlaw is, who shall apprehend and do execution upon him, according to the Law: But this is now altered by 27. H. 8. 26. which see after.

V. Stat. 26. H. 8. 4. Forthwith upon the charge given to an Enquest in Wales or the Marches thereof, upon any traverse against the King, or trial of any recognizance broken, or any forfeiture due to the King, or upon trial of any murderer, felon, or accessory, an officer or other person shall be deputed and sworne in open Court for the true keeping of the Jurors, who (without special order of the Court) shall not suffer them to have any bread, drink, meat,

meat, fire, or light, nor to speak to any person whatsoever; nor speak to them himself, before they are agreed upon their verdict, unless it be only to ask them, whether or no they be agreed; and all this such Keeper shall observe, in pain to be imprisoned and fined, at the discretion of the Court.

VI. Here, if the Jurors give any untrue verdict against the King, contrary to good and pregnant evidence, or otherwise misdemean themselves, the Lo. President and Council (upon complaint thereof) have power to convent them before the said Council, and to punish them at their discretions.

VII. Stat. 26. H. 8. 6. All persons dwelling in *Wales* or the marches thereof upon warning of any Court to be kept within their respective limits, shall appear there in proper person to do their service, in pain of such fines, forfeitures, and amerciaments, as shall be assessed upon them by the respective Courts, where they owe such service, to be levied by distress, to the use of the King within his Lordships there, and of other Lords marchers within theirs.

VIII. If any Steward or other officer there do feign any untrue surmise against any person that shall so appear, as aforesaid, and thereupon commit him to prison, contrary to law, or the custome of that Lordship, the Commissioners or Council (upon complaint) have power to send for such Steward or officer, and if upon good proof it be found that the party was so imprisoned without lawfull cause, they shall assess such Steward or Officer to pay him 6 s. 8 d. for every day of his imprisonment, or more at their discretions, as the damage shall deserve; the Commissioners shall also fine him to the Kings use, whether he appear or not, and may compel him by imprisonment to pay such fines and penalties both to the King and partie grieved.

IX. None in *Wales* or the marches thereof, coming to any Sessions or Court there, shall bring or cause to be brought thither, or to any other place within two miles thereof, or to any Towne, Church, Fair, market, or other Congregation (except upon a Hue and Cry,) or into the High-way, in affray of the peace or the Kings people, any bill, long-bowe, crosse-bowe, handgun, sword, staff, dagger, halbert, morespoke, spear, or any other weapon, privy coat; or armour defensive, in paine to forfeit to the same, unless it be by the command or licence of the Justices, a Steward, or other officer, or of the Commissioners or Council there.

X. None (without the Commissioners licence in writing) shall here or in the Counties thereto adjoyning require or levie any

Commorth Bydal, tenants ale, or other collection, or exact any money, goods, or other thing, under colour of marriage or suffering of their children saying or singing their first Masses, or Gospels of any Priests or Clerkes, or for the redemption of any murder or other felonie, or for any other cause whatsoever, or shall make or procure to be made any games of running, wrastring, leaping, or any other games (the game of shooting onely excepted) in pain to suffer a yeares imprisonment: and to be fined at the discretion of the Commissioners, who shall by this Act have power to hear and determine the said offences: Neither shall any cast any Arthell into any Court there, by reason whereof it may be letted or discontinued at that time, in paine to suffer a yeares imprisonment.

X I. Courts in *wales* and the marches thereof shall be kept in the most sure and peaceable places of each Lordship Marcher, where the Justice, Steward, or other officer thereof shall appoint.

X II. Iustices of Peace and Gaol-delivery in the Counties next adjoyning to *wales*, wher the Kings writ runneth, may hear and determine the offences of counterfeiters, washers, clippers, or diminishers of Coine, and all felonies (and their accessaries) committed in *wales* or the Marches thereof; And acquittal or fine making for any of the said offences in any Lordship marcher shall be no barre for any person or persons indicted for the same within 2 years next after such offence committed.

X I I I. The said Iustices of Peace and Gaol delivery have power to award all manner of Process, as well of Outlawry as otherwise, against every such offender, and shall send to the Lord or Officer of the Lordship, where the offender is resiant, a Certificate under the seales of two of them at least, of any such outlawry, or attainder, commanding him under the pain of 100 l. to be forfeited to the King to apprehend (or cause to be apprehended) the bodie of such offender, and safely to keep him, untill such convenient time before the next Gaol-delivery of the County, where he was so outlawed, as shall be thought fit for his conveyance thither, and then he shall be conveyed from marcher to marcher by the Lords or Officers thereof, to the said next Sessions of Gaol-delivery of the County, where he was so outlawed, as aforesaid, And here, the Lords marchers and Officers aforesaid, by whom he is so to be conveyed shall not be negligent herein, in paine to forfeit (each of them so making default) 100 l. to be levied to the Kings use: And the said Lords or other Officers shall at the said Sessions make due return of such Certificate, upon the like paine; Howbeit here, all

traverses, challenges, exceptions, advantages, and all other pleas upon any such outlawry are saved to the Offender.

XVI. Here, an Offender attainted of Felonie as principal or accessarie, upon suretie found for the good behaviour, may (for one time onely, by the assent of the President and two Commissioners) be discharged, and admitted to a fine, to be levied for the Kings use, so as no appeal be then depending against him for such offence.

XV. Provided, that this Act shall not extend to abridge the libertie of any Lord marcher, unlesse such offender be outlawed, or attainted by force of this Act within two yeares after the offence committed.

XVI. All Felonies and their accessaries committed in the Countie of *Merioneth* shall be inquired, heard and determined in the Counties of *Carnarvan* or *Anglesee* before the Justice of North-wales or his deputy by inquest of *Carnarvan* and *Anglesee* or otherwise, at the discretion of such Justice or his Deputie.

XVII. All Officers and their Deputies upon command of the Commissioners or Council shall bring, send, or deliver every offender in felonie to the officer of the Lordship marcher or other place, where the offence was committed, upon the bounds of such Lordship, or to the said Commissioners or Council, as such officers shall be commanded, in pain of 40 *l.* which Command shall be so sent by a Serjeant at Arms, or a Pursuivant, then attendant upon the said Council.

XVIII. Stat. 27. H. 8. 7. All the Kings Subjects and friends may passe freely on horse-back or on foot, & with cattel, wares, or otherwise, through all or any of the Forests in *Wales* without payment of any unlawfull exactions or suffering any other damage whatsoever; And no Forester or other shall commit any such offence, in paine to be tried for the same as Robbers before the Iustices of Peace of the shire adjoyning.

XIX. Cattel, which stray into any Forest there, and are challenged within a year and a day by the right owner shall be re-delivered unto him upon demand, and if the Forester or other officer, or farmer there refuse to re-deliver them, they shall forfeit to such owner double the value of such cattel, and he may have an action of *detinue* for the recovery of them, to be tried in the County next adjoyning; in which action like proceffe of outlawry shall be had, as in an action of trespass at the Common law.

XX. Stat. 27. H. 8. 26. *Wales* shall be incorporated, united, and annexed to and with *England*, and all persons borne there shall enjoy

enjoy all liberties, as other Subjects in England do; also lands shall descend there according to the English lawes and not after the forme of any Welsh laws or customes.

XXI. The Laws and Statutes of this Realm and none other shall be had and used, and executed in *wales* in like manner, as in this Realme, and as shall be farther declared by this Act.

XXII. Divers Lordships Marchers are united to English Counties, others to Welsh Counties, and the residue are divided into new particular Counties by themselves, viz. *Monmouth, Breckenoke, Radnor, Montgomery, and Denbigh.*

XXIII. The County of *Monmouth* shall consist of these Lordships, Townships, Parishes, Commotes, and Cantredes, viz. *Monmouth, Chepstow, Matherne Llanvihangel, Magor, Goldecliffe, Newport, Wentlog, Llanwerne, Caerliann, Uske, Trelecke, Tintern, Skinsfreth, Gronsmont, Wite-castle, Reglan, Calicote, Biston, Abergavenny, Penrose, Greenfield, Maghen, & Hochuystade*; all which said places shall be hereafter guildable, and reputed as parts and members of the County of *Monmouth*, whereof *Monmouth* shall be reputed the Shire-towne; And the Sheriffe of the Countrey shall keep his County-court at *Monmouth* and *Newport alternis vicibus.*

XXIV. All actions for lands and other things may be laid and sued in the County of *Monmouth* and tried there by Assize or *Nisi prius*, and *Venire facias*; & all other process may be awarded thither by the Justices; Also the Inhabitants there shall be obedient to the Kings Officers and Lawes, and the Sheriffes and Escheaters of that County shall performe their duties and render account in the Exchequer, as is used in or for any other County of England.

XXV. The Lordships, Townes, &c. to be reputed members of *Breckenoke-shire* shall be *Breckenoke, Crechebomell, Treisoure, Penhelly, English Talgarth, Welsh Talgarth, Dians, the Hay, Glinebogh, Broyulles, Camerccely, Lando, Blainlinby, Estraderw, Bueltbe, and Lingros*; Also the Shire-towne shall be *Breckenoke*, and the Shire-Court shall be kept there.

XXVI. The Lordships, Towns, &c. of *Radnor-shire* shall be *New-Radnor, Elisberman, Eluilles, Bonghred, Glasebury, Glindafre, Mihelles Church, Melaneth, Blewagh, Knighton, Norion, Preston, Commorbader, Rayder, Gmethronyon, and Stongge*; Here also *New-Radnor* shall be the Shire-towne, and the County or Shire Court shall be holden at *New-Radnor*, and *Rather Gwy* in the same County, *alternis vicibus.*

XXVII. Those of *Montgomery-shire* shall be, *Montgomery, Cedwenkery, Camryland, Arnstely Kiviliacke, Doybur, Powellan*

Clunes land Balesle, Tempcester, and Alceſtre: Whereof Mountgo-
mery ſhall be the Shire-town, and the County-Court ſhall be hol-
den there, and at Maghenleth in the ſame County alternis vicibus.

XXVIII. Thoſe of Denby-Shire ſhall be *Denbyland, Ruthin,*
Saint Taffe, Kynllethowen, Bromfield, Tale, Chirk, Chicheland,
Moleſdale, and Hopeſdale: The Shire-town alſo ſhall be Denbigh, and
the County-court ſhall be holden at Denbigh and Wrixham in the
ſaid County, alternis vicibus.

XXIX. The King ſhall yearly appoint Sheriffes, Eſcheators and
 other officers accomptants for the Counties for *Breckenoke, Radnor,*
Mountgomery, and Denbigh and ſhall have a Chancery and Exche-
 quer at *Breckenoke*, where the ſaid officers of the Counties of *Bretke-*
noke and Radnor ſhall yearely accompt before ſuch Auditors,
 Chamberlaine, and Baron, as the King ſhall appoint for that pur-
 poſe; There ſhall be alſo another Chancery and Exchequer at *Den-*
bigh, where the ſaid officers of the Counties of *Mountgomery* and
Denbigh ſhall alſo accompt before ſuch Auditors, Chamberlain, and
 Baron, as aforeſaid.

XXX. Juſtice ſhall be adminiſtred and executed in the Coun-
 ties of *Breckenoke, Radnor, Montgomery, and Denbigh*, according
 to the Lawes and Statutes of *England*, and ſuch other Cuſtomes and
 Lawes now uſed in *wales*, as the King and his Council ſhall allow,
 by ſuch Juſtice, or Juſticers, as ſhall be thereunto appointed by the
 King, and after ſuch manner, as Juſtice is adminiſtred in the Coun-
 ties of *North-wales*.

XXXI. In the marches of *wales* there ſhall be made Guildable
 and annexed to the County of *Salop*, the Lordſhips, Towns, Pariſhes,
 Commotes, Hundreds and Cantredes of *Oſweſtrie, Whetington, Maſ-*
droke, Knoking, Elleſmer, Down, and Cherbury hundred: Here alſo,
Oſweſtrie, Whetington, Maſbroke, and Knoking, ſhall be known by
 the name of the Hundred of *Oſweſtrie*, and the inhabitants thereof
 ſhall be attendant at Sessions, Aſſizes, and G.-delivery as the inhabi-
 tants of other hundreds within the ſaid County of *Salop* uſe to do:
 Alſo *Elleſmer, cum membris* ſhall be united to the Hundred of *Pim-*
hill in Com. Salop and the inhabitants thereof ſhall be attendant, as
 aforeſaid: Likewise the Lordſhip of *Downe cum membris* ſhall be uni-
 ted to the Hundred of *Cherbury in Com. Salop* and the inhabitants
 thereof ſhall give their attendance, as aforeſaid: Howbeit neither
 the ſaid Hundreds of *Cherbury* or *Oſweſter*, nor the Lordſhip of
Elleſmer ſhall be hereby otherwiſe privileged, than as Hundreds
 annexed the County of *Salop*, as other Hundreds be within the ſame
 County.

XXXII. In like manner, the Lordships, Towns, Hundreds, &c. annexed to the County of Hereford, are *Ewyas Lacy, Ewyas Harold, Clifford, winforton, Yerdeſley, Huntington, whitney, wigmore, Logharneis* and *Stepluton*, whereof *wigmore*, and *Logharneis*, with their members, shall be called the Hundred of *wigmore*: and *Ewyas Lacy cum membris*, the Hundred of *Ewyas Lacy*; but *Ewyas Harold* shall be united to the Hundred of *webtree* in Com. Hereford, and *Clifford, winforton, Yerdeſley, whitney*, and *Huntington*, shall be called the Hundred of *Huntington*: Here also the inhabitants shall be attendant at Sessions, Affizes, and Gaol-delivery holden for the County of Hereford, but these Lordships, &c. shall claim no priviledg but as Hundreds, or members of Hundreds of the same County.

XXXIII. Likewise the Lordships, Towns, and Parishes of *Vallaston, Tidnam, and Becheby*, and all Honors, Lordships, Castles, Lands, tenements, and Hereditaments, lying between *Chepstow-Bridge* and *Gloster-shire*, shall be annexed to the County of *Gloster*, as part thereof, and shall be parcel of the Hundred of *Vesebery* in that County: Also the inhabitants thereof shall be attendant, as aforesaid, and shall claim no priviledge but as Hundreders of the hundred of *Vesebery*, aforesaid.

XXXIV. *Gowerwilney, Bishops town, Landaffe, Signithe supra, Signithe subtus, Miskin, Ogmore Glein cothney, Tallagarn, Ruchien, Talhavan, Lambelthion, Lantwid, Tyerial, Avan, Neth, Landway*, and the *Clays* shall be Guildable, and united to the County of *Glamorgan*; And Justice shall be administred in *Glamorganshire*, (so united) according to the Lawes of England (as in the three Counties of North-wales) and not according to the Welsh Lawes.

XXXV. *Lanemthevery, Abermeles, Redwely, Elkenning, Cornwolthion, Newcastle, Emlin, and Abergoyly* shall be Guildable, and annexed to the County of *Caermarthen*; where also Justice shall be administred as aforesaid.

XXXVI. *Haverford-west, Kilgaran, Lansteffan, Langberne, alias Tellanghern, Watwincastle, Dewi-land, Lanny-haddein, Lantfey, Herbertb, Slebeche, Rosmarket, Castellon, and Lland of Lowe* shall be Guildable and annexed to the County of *Pembroke*, where Justice shall be administred as aforesaid.

XXXVII. *Tregarn, Generglin, Landwy and Urency* shall be Guildable and united to the County of *Cardigan*, and there also Justice shall be administred, as aforesaid.

XXXVIII. *Mountway* shall be Guildable, and annexed to the County of *Merioneth*, in North-wales, as a commote, or part thereof.

XXXIX. All

XXXIX. All Justices, Commissioners, Sheriffs, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of Law shall proclaim and keep Sessions, Courts, Hundreds, Leets, County-Courts, and all other Courts in the English tongue, and all oaths of Officers, juries, and Enquests, and all Affidavits, Verdicts, and Wagers of Law shall be given and done in the same tongue.

XL. None that use the Welsh language, shall have or enjoy any office or fees in any of the Kings Dominions, but shall forfeit them unless he use the English.

XLI. The Sheriffs of *Monmouth*, *Brekenoke*, *Radnor*, *Mountgomery*, and *Denbigh*, shall put every unruly person under common Mainprize, as the Sheriffs of the three Counties of *North-wales* use to do.

XLII. The Sheriff of *Monmouth* shall certifye such recognizances, common mainprize, and surety of apparence at every quarter-sessions of that Countrey, and the persons so bailed shall appear at the two Sessions holden at *Easter* and *Michaelmas*, until they be released.

XLIII. The Sheriffs of *Brekenoke*, *Radnor*, *Mountgomery*, and *Denbigh* shall certifye such recognizances, &c. before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All persons under bail for apparence in the Counties of *Brekenoke*, *Radnor*, *Mountgomery*, *Denbigh*, *Glamorgan*, *Caermarthen*, *Pembroke*, and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North-wales*.

XLV. The lay and temporal Lords Marchers shall have the moiety of every such recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levie them) who is also to answer the other moiety to the King in the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the great seal for the division of the Counties of *Caermarthen*, *Pembroke*, *Cardigan*, *Monmouth*, *Brekenoke*, *Radnor*, *Mountgomery*, *Glamorgan*, and *Denbigh* into convenient Hundreds to be returned into the Chancery, and there to remain of Record, which shall be of like force as an Act of Parlia.

XLVII. Commissions also shall issue forth to inquire after the Welsh laws and Customes, and such of them as shall be thought

fit (by the King and Council) to be continued, shall stand and be in full force, notwithstanding this Act.

XLVII. Two Knights for the County, and one Burgesse for the Burrough of *Monmouth* shall be chosen to serve in Parliament.

XIX. Also, one Knight shall be chosen for each County of *Brecknocke*, *Radnor*, *Mountgomery*, and *Denbigh*, and for every other County in *Wales*, and for every Burrough, being a Shire-town, (except the Shire-town of *Merioneth*) one Burgesse.

L. The said Knights and Burgesses shall be elected, and enjoy like priviledges and fees, as Knights and Burgesses of *England*: And the Knights fees shall be levied of the Commons of each County and those of the Burgesses, as well of the Shire-towns, whereof they be burgesses, as of all other ancient Burroughs within the said respective Counties.

LI. All Lords Marchers shall enjoy all such liberties, mises, and profits as they had, or used to have at the first entry into their lands in times past, notwithstanding this Act.

LII. The Lawes and Customes of the three Counties of *North-Wales*, and of the County Palatine of *Lancaster* are saved.

LIII. This Act shall not extend to derogate any other Act heretofore made for the trial of treason, murther, or felony or accessories thereunto; committed in any Lordship Marcher in *Wales*, or in any County of *England* next adjacent thereunto.

LIV. Lands by the Custome partable amongst males shall so continue, notwithstanding this Act.

LV. The King hath power (within three years) to suspend or repeal this Act; As also (within five years) to erect as many Courts (of Record or others) and to appoint as many Justices and other officers, in *Wales*, as he should think fit.

LVI. Stat. 33.H.13. *Hope*, *Affaph*, *Hawarden*, *Moldesdale*, *Mereford* and *Osely* shall be reputed to be within the County of *Flint*, as part thereof, and not in any other County: Howbeit, they shall pay their taxes with the Inhabitants of such Shire or Shires, as hath been formerly accustomed.

LVII. Also *Hope*, *Moldesdale*, *Mereford*, *Osely* and *Hawarden*, shall be called the Hundred of *Moldesdale*, in the County of *Flint*; and *Affaph* shall be reputed parcel of the Hundred of *Ruthland* in the same County.

LVIII. Stat. 34, 35.H.8.26. *Wales* shall be divided into twelve Counties, whereof eight were ancient Counties, viz. *Glamorgan*,
Kent.

Kaermarthen, Pembroke, Cardigan, Flint, Caernarvan, Anglesey and *Merioneth*; also four other were made by the Statute of 27. H. 8. viz, *Radnor, Brekenoke, Mountgomery, and Denbigh*, besides the County of *Monmouth*, and divers Lordships united to the Counties of *Salop, Hereford* and *Glocester*.

LIX. The limitations of Hundreds lately made within the said Counties by Commission out of the Chancery, and again returned thither, shall stand in force, except such of the same, as have been since altered by any Act, and shall be altered by this.

LX. There shall remain a President and Council in *Wales* and the Merchants thereof, with officers and incidents thereunto as hath been used, which President and Council shall hear and determine such causes, as shall be assigned to them by the King, as heretofore hath also been used.

LXI. Sessions shall be kept twice a year in the Counties of *Glamorgan, Brekenoke, Radnor, Kaermarthen, Pembroke, Cardigan, Mountgomery, Denbigh, Caernarvan, Flint, Merioneth, and Anglesey*, which Sessions shall be called the Kings great Sessions.

LXII. The Justices of *Chester* shall hold sessions twice a year in the Counties of *Denbigh, Flint, and Mountgomery* for his old fee of 100 l. per annum.

LXIII. The Justice of *North-wales* shall do the like in the Counties of *Caernarvan, Merioneth, and Anglesey*, and shall have a fee of 50 l. per annum.

LXIV. A person learned in the Law (to be appointed by the King) shall be Justice in the Counties of *Radnor, Brekenoke, and Glamorgan*, and shall likewise hold Sessions twice a year, and have for his fee 50 l. per annum.

LXV. Another such person (to be appointed as aforesaid) shall be Justice in the Counties of *Kaermarthen, Pembroke, and Cardigan*, and shall hold Sessions, and have fee as aforesaid.

LXVI. The said Justices shall have Commissions under the great Seal for their Offices, to be executed by themselves or their Deputies.

LXVII. These Justices may hold pleas of the Crown, in as large manner as the Lord Chief Justice of the other Justices of that Bench may do, and also pleas of Assies, and all other pleas and actions real, personal, & mixt, in as large manner as the Chief Justice of the common place, or the other Justices of that Court may do.

LXVIII. They shall also enquire, hear and determine, all criminall offences whatsoever, committed within their severall limits, and administer common justice to all the Kings Subjects thereof.

there, according to the Laws, Statutes, and Customes of *England*, and this present Ordinance.

L X I X. The said Sessions shall each of them hold six dayes, as hath been used in *North-wales*, and notice thereof shall be given (by Proclamation) 15 dayes (at least) before they keep the same.

L X X. Dayes shall be given in all pleas, plaints, processe, and adjournments from day to day, and Sessions to Sessions (at the discretion of the said Justices) for the good and speedy administration of Justice.

L X X I. The seal for the three Counties of *North-wales*, viz. *Merioneth*, *Carnarvan*, and *Anglesee*, shall remain in the custody of the Chamberlain of *North-wales*. The seal for *Carmerthen*, *Pembroke*, and *Cardigan*, with the Chamberlain of *South-wales*. That for *Brekenoke*, *Radnor*, and *Glamorgan*, with the Steward and Chamberlain of *Brekenoke*. That for *Denbigh* and *Mountgomery* with the Steward and Chamberlain of *Denbigh*. And that for *Flint* with the Chamberlain of *Chester*.

L X X I I. The said Stewards and Chamberlains shall with the seals seal all original Writs and Processe, returnable before the Justices at the Sessions as aforesaid, and shall answer the profits thereof to the King; But none of them, or any Chancellor shall by occasion of keeping such seals, compell any person, inhabiting in any of the said 12 Shires, to appear before themselves or their Deputies, or hear or determine any pleas or causes whatsoever, otherwise then as by this Ordinance is limited: And such writs and processe shall be returned before the said Justices, as hath been used before the Justice of *North-wales*.

L X X I I I. All that shall be Stewards, Chamberlains, or Chancellors within any of the said 12 shires, having offices of Receipt, Collection, or accompt of any of the Kings rents, revenues, or profits there, may direct processe under the said seal (being in their charge) within the limits of their authorities, against Bailiffs, Reeves, Farmers, and other ministers accomptant, to appear before themselves for any such rents, revenues, farms, or profits, as hath been heretofore used; But for nothing else, nor to any other person.

L X X I V. The Stewards also may hold Leets, Law-dayes, or Court-Barons of the Lordships whereof they are stewards, and also pleas by plaint under 40s. in every such Court-Baron, and have and enjoy all authorities and profits thereunto belonging, notwithstanding any law or custome in *Wales* to the contrary: Howbeit
neither

neither they nor Sheriffs shall have power to enquire of Felonies in any such Leet, Law-day, or Turn: Neither shall they keep any Leet or Law-day, but in such places where they were used to be kept, before the Statute of 26.H.8.6. So as the place be convenient for the keeping of such courts.

LXXV. Majors, Bailiffes, and Head-Officers of Corporate towns in *wales* may hold pleas, and determine actions; so as they observe the Lawes of *England*, and not Welsh Lawes or Customes; They may also trie issues by six men (as in divers places hath been used) notwithstanding this Act.

LXXVI. The King may within seven years dissolve Boroughs in *wales*, and erect others there by his letters patents.

LXXVII. Officers certain fees (appearing in the Kings letters patents) shall continue, but not their casual fees, claimed by colour of their offices, any custome in *wales*, or this Act to the contrary notwithstanding.

LXXVIII. Each Justice shall also have a judicial seal to seal all bills and judicial processes sued before them in the sessions, whereof the first shall remain with the Justice of *Chester*, for *Flint*, *Denby*, and *Mountgomery*; The second with the Justice of *North-wales*; The third with the Justice of *Glamorgan*, *Brekenoke*, and *Radnor*; And the fourth with the Justice of *Pembroke*, *Caermarthen*, and *Cardigan*; Also every such Justice shall accompt & answer to the King the profits of the seal in his custodie, as shall be hereafter declared; And the Teste of every bill and processe, that passeth under such seal, shall be under the name of the Justice, that issueth it out, as is used in the Common Place in *England*.

LXXIX. All actions real and mixt, attaints, conspiracies, Assizes, *Quare Impedit*s, appeals of murder and felony, and all actions grounded upon any statute, shall be sued by Original Writs, sealed with the Original Seal, and returnable before the Justices at their sessions; but all personal actions, as debt, detinue, trespass, account, and the like, amounting to the summe of 40s. or above shall be sued by such writs original, or by bills, at the election of the Plaintiff, as is used in *North-wales*.

LXXX. All personal actions under the sum of 40 shillings, may be sued by Original Bill, (as is also used in *North-wales*) sealed by the judicial seal remaining in the custody of the Justice.

LXXXI. The Fee for sealing every original Writ upon the causes aforesaid, and for every Bill in actions personal (when the debt and damages amount to 40s. or above) is six pence, and for every

every judicial process, sued upon any such original writ, or bill seven pence, whereof the King shall have six pence, and the Justice one peny. And for every bill in personal actions, when the debt and damages amount not to 40 shillings, and for every judicial process to be sued upon the same 3 *d.* whereof the King is to have 2 *d.* and the Justice 1 *d.*

L X X X I I. All writs of *Scire facias*, and writs of *Good Abearing*, or for the *Peace*, or writs of *Supersedeas* upon the same, and all other process sued before the Justices upon any record or Suggestion shall be sealed with the Judicial Seal, for which the Plaintiff shall pay seven pence; whereof the King is to have 6 *d.* and the Justice 1 *d.*

L X X X I I I. Every exemplification upon any Record shall be sealed by the Judicial Seal, for which the plaintiffe shall pay 20 pence, whereof the King is to have 16 pence, and the Justice four pence:

L X X X I V. Recoveries, and Fines, Concords, and Warrants of attourney for the same, may be taken before the said Justices of Lands, tenements, and hereditaments within their authority, by force of his general Commission without any *dedimus*, as is used before the Chief Justice of the Common place.

L X X X V. All fines levied before any of the Justices with proclamation made the same Sessions; it shall be engrossed, and in two other great Sessions then next following, shall be of the same force, as fines levied with proclamations before the Justices of the Common Place

L X X X V I. Every person suing Writs of Entry in the *Post*, or writs of *Covenant*, or any other writs, for any recovery to be had (by assent or otherwise) or for any fine to be levied, shall pay fines to the Kings use for the same (as well fines *pro licentia concordandi*, as all other fines) as is used in Chancery or elsewhere in the Kings Courts of *England*, which fines shall be paid to such persons as shall seal the original writs for that purpose, who shall account for the same, as they do for the profits of the said original Seal.

L X X X V I I. Also, the Kings silver (upon every such fine) shall be paid, as is used in the Common place of *England*, viz. 2 *s.* and shall be received by the Justice, before whom such fine is levied, whereof the King shall have 16 *d.* the Pronotary for entering it, 2 *d.* and the Justice the rest, who shall accompt for the Kings profit, as he doth for the profits of the Judicial seale.

L X X X V I I I. The four said Justices shall have each of them a Pronotarie to attend upon them, for the entering of all pleas, processes,

esse, and matters of record in sessions, to be holden before the said Justices.

LXXXIX. There shall be a Marshall and a Crier in every of the said Circuits to be named by the said Justices as Justices of Assize in *England* use to do, which officers shall attend upon the said Justices in their Circuits in proper person, and not by deputy.

XC. The Marshall shall have upon every judgement, and every fine 4 *d.* and the Crier 1 *d.* and the like fees shall be paid upon the acquittal of felons, and of such as be delivered by proclamation or out of Common mainprise.

XCI. Here also are set down the fees that the Pronotaries shall take for writs, entries, Judgements, &c. for which see the Statute at large.

XCII. The King shall have all fines, issues, amerciaments, and recognisances forfeited, which the Pronotaries shall yearly estreat into the Exchequer appointed for that limit, that procelle may be awarded to the Sheriff to levie them for the Kings use, which Sheriffs shall yearly accompt before the Kings Auditors, to be thereunto assigned.

XCIII. Besides the President, Council, and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custos Rotularum* in every of the said 12 Counties, who shall be appointed by the Chancellor of *England* by Commission under the great Seal with the advice of the President, Council, and Justices aforesaid, or 3 of them, whereof the President to be one.

X CIV. There shall not be more than 8 Justices of Peace in any of the said 12 shires, besides the President, Council, and Justices aforesaid, and the Kings Attorney and Solicitor, all which persons shall be also put in every such Commission.

XCV. These Justices of Peace shall be of good name and fame, and may exercise their office, albeit they have not 20 *li.* per annum, or be not learned in the Law; but before they shall execute their Commission, they shall take such oath, as Justices of Peace in *England* use to take, before the Chancellor of *England*, or else before the President, or one of the same Justices of *Wales* by *dedimus*, or before some other to be appointed by the Lord Chancellor for the purpose.

XCVI. The said Justices of Peace or two of them at least (1. *Qu.*) shall keepe their sessions four times in the yeare (and at other times also upon urgent causes) as Justices of Peace in *England* use to do; for which they shall also have such allowances for themselves and their Clerks, as the Justices in *England* have.

XCVII. Here, the fee for a warrant of the peace or good a-bearing

bearing is 6. *d.* for entring of pledges to pay the King a fine upon an Indictment 9. *d.* and if it be with protestation 12. *d.* for a *superfedeas* 8. *d.* and for a recognisance 12. *d.*

XCVIII. These Justices of Peace shall certifie recognisances taken before any of them for the peace or good abearing, into next sessions; but recognisances taken before them for suspicion of felony shall be certified before the Justices at the next great sessions without concealing them, upon such penalties, as be therefore ordained.

XCIX. All fines and amerciaments lost before the Justices of Peace shall be asserted by two of them at least (1 *Qu.*) and shall be duly set without partiality.

C. All such fines and amerciaments, as also all issues lost, forfeited recognizances, and other forfeitures before the said Justices of Peace shall be yearly estreated by the Clerkes of the Peace into the Exchequer, appointed for that limit; to the end that processes may be thereupon awarded for the levying of them for the Kings use to the Sheriff of every County, who shall account before such Auditors as shall be thereto assigned, which Auditors shall make due allowance unto the Sheriffs upon their accounts, for the fees of the Justices and Clerks of the Peace, as is used in *England*.

CI. The President, Council, and Justices of *Wales*, or three of them at least (whereof the President to be one) shall yearly nominate three able persons in every of the said twelve Shires, to be Sheriffs thereof, and shall certifie their names to the Lords of the Privy Council *Craff. Animarum*, to the end the King may appoint one of them in every of the said Shires, to be Sheriff for that year, like as is used in *England*: And thereupon the said Sheriff shall have their Patents under the Great Seal of *England*, and shall make oath and acknowledge recognizances before the President and Justices, or one of them by a *Dedimus*, for the due execution of their offices, and for their just accounts before the Kings Auditors assigned for *Wales*.

CII. The said Sheriffs have power to use their offices, as Sheriff of *England* do; shall be observant to all lawful commands and precepts of the President, Council, Justices of *Wales*, Justices of Peace, Escheators, and Coroners, and every of them in all things appertaining to their offices; shall yearly account to the Auditor or Auditors, assigned by the King for *Wales*, and shall each of them have yearly for his fee 5 *l.*

CIII. All officers and other persons in *Wales* shall be obedient,

ent, attendant, and assisting to the President, Council and Justices of Wales, and shall obey the Kings commands and proceffe, from any of them directed, and all lawful and reasonable precepts of them and every of them; and also shall be obedient to all Justices of Peace, Sheriffs, and Escheators, within their several limits in all things appertaining to their duties and offices.

CIV. Also Escheators shall be named in every of the said Counties by the Treasurer of England, with the advice of the President, Council, or three of them, whereof the President to be one; which Escheators shall make oaths and acknowledge Recognizances before the President, or one of the Justices, by a *Dedimus*, for the due execution of their Offices, and for their true account before the Kings Auditor or Auditors, to be assigned for that purpose, which Oath and Recognizance shall be agreeable to those used for Escheators in England.

CV. Such Escheators shall yearly have their Patents under the Great seal, shall exercise their offices as Escheators in England, and shall be bound to all Lawes and Statutes of England: But they need not have above 5*l.* per annum freehold, and shall account yearly before such Auditor or Auditors as the King shall assigne for Wales.

CVI. There shall be also two Coroners elected for each of the said 12 shires, by the writ *De Coronatore Eligendo*, awarded out of the Chancery of England; Which Coroners shall exercise their offices, and have like fees as in England; Onely, the writ *de Cor. elig.* for the Countrey of Flint shall be directed out of the Exchequer of Chester.

CVII. The Justices of Peace or two of them (1. *Qu.*) shall appoint in every hundred (within their limits) two substantial Gentlemen or Yeomen to be chief Constables of the hundred, where they dwell, who shall preserve the peace and use their offices, and be bound in all things, as High Constables in England.

CVIII. The Sheriff shall have a Gaol in a place of the castle of the shire-town, or such other convenient place, as by the President, Council, and Justices, or three of them (whereof the President to be one) shall be appointed, any Patent or Grant notwithstanding. The Sheriff also shall make Bailiffs of the Hundred, who shall attend upon the Justices at their courts and sessions.

CIX. Sheriffs shall keep their Counties monethly, and their Hundred-courts for pleas under 40*s.* and shall take for entering of plaints, proceffe, pleas, and judgements there, as is used in England, and not above. Also all trials in such Courts, or before stewards in Court

Court Barons, shall be by wager of law, or verdict of six men, at the election of the partie Plaintiffe or detendant, that pleades the plea.

CX. Sheriffes shall hold their Turnes yearly after *Easter* and *Michaelmas*, as is used in *England*.

CXI. The King shall have all Fines, Issues, Amerciaments, and Forfeitures lost in the said Courts and Turnes, to his own use, and the Sheriff shall account for the same accordingly, having been first assented by the Justices of Assize of that Circuit, before they be levied; And the Sheriffe shall not levie them before they be so assented, in pain to forfeit to the King 40 s. Also the Sheriffe upon every Iudgement in his County or Hundred-Court, may award a *Capias ad Satisfaciendum*, or a *Fieri facias*, at the election of the Plaintiffe.

CXII. Certain fees, which the Sheriff is to have for the return and execution of divers writs, *For which see the Statute at large*.

CXIII. Every Sheriff (within his limit) may put suspicious persons under common mainprize, according to the Statute of 47. H. 8. 26. (*which see before*) binding them with two sufficient sureties by recognisance, to appeare before the Iustices at the next Great Sessions, and shall then also certifie the names of the parties so bound, without concealment.

CXIV. The Sheriffs fee for taking such common mainprize is 2 d. but he shall take no fee for the returne of any writ of execution, unlesse he return the same executed.

CXV. The fees of Sheriffs, Escheators, and Coroners, and their Ministers, Pronotaries, and their Clerks, and other Ministers of Iustice in *Wales*, shall be rated, augmented, and diminished by the President, Councill, and Iustices, or three of them (whereof the President to be one) from time to time at their discretions.

CXVI. None for murder or felony shall be put to his fine, but suffer, according to the Lawes of *England*, except it please the King to pardon him; And if the Iustices see cause of pity, or other consideration, they may reprove the prisoner, till they have advertized the King of the matter.

CXVII. The Statute of the 26. H. 8. 6. (*which see before*) is confirmed, notwithstanding this Act; and from henceforth shall be put in execution.

CXVIII. *Abertannad* heretofore reputed parcel of the County of *Merioneth*, shall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Ofwestrie*.

CXIX. If any forreign plea or voucher be pleaded or made be-
fore

fore any of the Iustices of *Wales*, triable in any other County in *Wales*; in this case, the said Iustice shall send the Kings writ, with a transcript of the Record, unto the Iustice of the County where the matter is triable, commanding him to proceed to the trial thereof, according to law, which trial being had, he shall remand it with the whole record unto the Iustice that sent it, who thereupon shall proceed to judgement, as the cause shall require: but if such plea or voucher be triable in *England*, the Iustice of *Wales*, before whom they are pleaded or made; may proceed to trial thereof in such County of *Wales*, where they are so pleaded or made, such foreign plea or voucher notwithstanding.

CXX. All lands, tenements, and hereditaments in *Wales*, and in the Lordships and places annexed (by the Statute of 27.H.8. 26.) to the Counties of *Salop*, *Hereford*, *Glocester*, or any other Shires shall be English tenure, and not partable amongst heirs males, according to the custome of *Gavelkind*.

CXXI. No Mortgages of lands, &c. made in any of the said Counties or places shall be hereafter allowed or admitted otherwise then after the course of the common Law and Statutes of *England*.

CXXII. It shall be lawful for all persons to alien their lands, &c. in *Wales*, the county of *Monmouth*, and other places annexed, as aforesaid, from them and their heirs to any person or persons in fee-simple, fee-tail, for life, or years, according to the Lawes of *England*, notwithstanding any Welsh law or custome to the contrary.

CXXIII. If any person having lands in *Wales* be bound in *England* by a statute staple or recognisance, and pay not the debt accordingly; in such cases, upon certificate into the Chancery of *England*, processes shall be made to the Sheriffs of *Wales* out of the said Chancery, for the due levying of the said debt, as is used in *England*: Howbeit, for such recognisances as are taken in the Kings Bench, or Common Place of *England*, processes shall be pursued immediately from the Justices of the said Courts, as in *England* also is used.

CXXIV. All such writs, bills, plaints, pleas, proccesse, challenges, and trials shall be used throughout all the shires aforesaid, as are used in *North-wales*, or as shall be devised by the President, Council and Iustices, or three of them, whereof the President to be one.

C X X V. Where there shall be some suits in pleas personal, which cannot be well tried before the Justices in the great Sessions, forshortness of time, such issues may be tried at the petty sessions before the Deputy-Justices, as is used in the three Counties of *North-wales*; save onely for such suits, as by the discretion of the said Justices shall be necessary to be tried before themselves: Howbeit, there shall be no suit taken before any of the said Justices by bill, under the sum of 20 s.

C X X V I. No other liberties, franchises, or customes shall be used or claimed in any Lordship, which was anciently part of *Wales* (whosoever be owner or owners thereof) but onely such as be given to the Lords thereof by force of the Statute of 27. H. 8. 26. and not altered by this Act, notwithstanding the Stat. of 32. H. 8. 20. which see in Franchises.

C X X V I I. If any murther or felony be committed in *Wales*, the party or parties grieved shall make no agreement with the offender, or with any other in his behalf, unless he first acquaint the President, Council, or Justices therewith, in pain of imprisonment and grievous fine at the discretion of the President, Council and Justices, or two of them, whereof the President to be one: the like punishment also they shall incur, that labour or procure such agreement, although it never take effect.

C X X V I I I. If any person, or they, whose estate he hath, have peaceable possession of lands in *Wales* by the space of five yeares, without interruption or lawful claim, such person shall continue the same, until they be recovered from him by law or decree of the President and Council there.

C X X I X. If in personal actions pursued before the Justices nine of the lury be sworne, and the residue make default; or be tried out, in that case the Sheriffe may return other names *de circumstantibus* until the lury be full, as is used in *North-wales*, and elsewhere in such cases.

C X X X. No sale of goods or cattel stolen in *Wales*, and sold in any Fair or Market there shall alter the propriety thereof, such sale notwithstanding.

C X X X I. No person shall buy any quick cattel in *Wales* out of the Fair or Market, unless he can produce credible witnesse of the person, place, and time, he so bought the same, in pain of such punishment and fine, as shall be set by the President and Council, or any of the Justices in his Circuit, and to answer it at his further peril.

CXXXII. If any goods or cattels be stolen in *wales*, the tract shall be followed from Town to Town, and Lordship to Lordship, according to the Laws and customes heretofore used in *wales*, upon such penaltie as hath been heretofore accustomed.

CXXXIII. Any man (being a Freeholder) may passe upon a Jury in all causes both criminall and civill, attaint only excepted, saving to every man his lawfull challenge, according to the Laws of *England*: Howbeit none shall passe in attaint, unlesse he have free hold of 40 s. *per annum*.

CXXXIV. Tenants and resiants in *wales* shall pay their Tallage at the change of their Lords, in such places, and after such form, as hath been accustomed in *wales*.

CXXXV. The Kings subjects in *wales* shall finde at the Parliaments in *England*, Knights for the Counties, and Citizens and Burgesles for the Cities and Towns, to be chosen by the Kings Writ, according to the Statute of 27. H.8. 26. and shall also be chargeable to all subsidies, and other charges granted by the commons of the said Parliaments, and pay all other rents, farms, customes and duties to the King, as hath been accustomed, fines for redemption of Sessions only excepted, which the King is pleased to remit.

CXXXVI. *Haverford-west* shall finde one Burgesse for that Town, whose charges shall be borne by the Major, Burgesles, and inhabitants of the said Town, and by none other.

CXXXVII. The King shall have all Felons goods, goods of persons outlawed, Waifes, Estrayes, and all other forfeitures and escheats, and shall be answered thereof by the Sheriffs, saving the right of all others having lawfull title thereto.

CXXXVIII. Errors and Judgements before any of the Justices in their great Sessions, in pleas reall and mixt shall be redressed by Writ of error out of the Chancery of *England*, returnable before the Justices of the Common Place, as other writs of error be in *England*: but errors in pleas personall shall be reformed by Bill, before the President and Council and if the judgement be affirmed good, in any of the said Writs or Bills, then there to make execution, and all other processe thereupon, as is used in the Kings Bench of *England*, and that the Plaintiff in every such Writ or Bill, pay for the same like Fees as is used in *England*.

CXXXIX. No execution of any judgement given in any base court, shall be stayed by reason of any Writ of false judgement, but execution may be had at all times before the reversall of such judgement; and if such judgement shall after be reversed; the plain-

iff shall be restored to what he hath lost by such judgement.

CXL. All procelle for urgent and weighty causes, shall be directed into *Wales* by the Chancellor of *England*, or any of the Kings council, as heretofore hath been used, notwithstanding this Act.

CXLI. The Town of *Bewdley* in the Parish of *Ribbesford*, in *Com. Wigorn*, is made parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County, saving to the Burgesse and inhabitants of *Bewdley* their ancient liberties, and franchises.

CXLII. *Llanstiffan*, *Westerloys* and *Langham*, with their members, are united to the county of *Caermarthen*, and made parcel of the Hundred of *Derries* in that County.

CXLIII. The Shire-court of the County of *Radnor* shall be holden one time at *New Radnor*, and another time at *Preston*, *alternis vicibus*, and never at *Rather Gowy*, notwithstanding the Statute of 27.H.8.26.

CXLIV. The Kings Farmer of the subsidie and Aulnage of woollen clothes in the County of *Monmouth*, and the other twelve Counties of *Wales*, shall take for sealing such clothes as followeth, *viz.* for every whole piece of Frise, 1 *d.* a half piece, *ob.* a piece of cotton or lining, (24 yards and under) *ob.* a piece of the same (above 24 yards) 1 *d.* a broad cloth 1 *d.* a piece of Kersey, (18 yards or above) 1 *d.* and for a piece of Kersey, (under 18 yards) *ob.* Howbeit, this shall not extend to cloth made in private houses, and not put to sale, but to their servants.

CXLV. The Aulnager in *Wales* shall be bound and subject to the lawes and customes of *England*, in like case provided.

CXLVI. The Town of *Haverford-west* is made a County of it self, whose Justice shall be the Justice of the county of *Pembroke*, and the judicial seal of *Pembrokeshire* shall be also used there, with diverse other priviledges; for which see the Statute at large; Howbeit, this Article was but to continue in force during the Kings pleasure.

CXLVII. This Act shall not be prejudicial to any mans Inheritance, nor to any of the Kings Officers, for their Offices or Fees.

CXLVIII. No land in *Wales* shall be Gavelkinde, but descendible according to the course of the common law.

CXLIX. All liberties of the Dutchie of *Lancaster* shall continue as they were before the making of this Act.

CL. Stat. 1, 2. P.M. 15. As well spiritual Lords Marchers and

and their successors, as the heirs and successors of temporal Lords Marchers now being, or which shall hereafter be Lords Marchers of Lordships Royal in *Wales*, shall have and enjoy the one half of every forfeiture of every common mainprise, recognisance for the year, or apparance, forfeited by their tenants inhabiting within any of their Lordships Marchers, or Lordships Royal, to be paid the same by the Sheriff of the County for the time being, as the lay or temporal Lords Marchers have (or ought to have) been paid the same, by force of the Statute of 27.H.8.26. And also all such mises, profits, and liberties, as the Lords Marchers spiritual and temporal have respectively used in time-past to enjoy, before the making of the said Statute.

CL I Stat. 18. El. 8. The Queen and her heirs and successors may (at her and their pleasure) name and appoint two or more persons learned in the Law, to be Justices in each of the circuits in *Wales*, which had but one Justice before, or may grant commissions of Association to such person or persons to be associate to the Justice or Justices of the said circuits, who shall have like authority and power as the one Justice had by the statute of 34,35.H.8.26.

CL II. Stat. 27. El. 9. All Fines and Recoveries taken or suffered in the courts of Assizes or Sessions of the twelve shires of *Wales*, the Town and County of *Haverford-west*, and the Counties Palatines of *Chester*, *Lancaster*, and *Duresme*, and in every of them, and all writs, returns, warrants, and other proceedings concerning the same, now remaining, or which hereafter shall remain in the said courts or sessions, or in any of them, or in the custodie of any of the officers there, may (upon the request, and at the election of any person) be inrolled in Rolls of Parchment by such persons, and for such considerations, as are hereafter expressed, and such Inrolments shall be as good in force in law (for so much as shall be so inrolled) as the same so remaining are or ought to be.

CL III. No Fines, Proclamations, or Recoveries there, shall be reversable by writ of Error, for fals-Latin, rasure, interlining, mis-entring of any warrant of Attourney, or of any Proclamation, mis-returning, or not returning of the sheriff, or other want of forma in words, and not in matter of substance.

CL IV. The person there that shall hereafter take the acknowledgment of any fine, or any warrant of attourney, of any tenant of vouchee for suffering any Recovery, or shall certify them or any of them, shall with the certificate of the concord or warrant of attourney, certify also the day & year, wherein the same was acknowledged, but shall not be enforced to certify them, except within the year

next after they were taken; And no Clerke or Officer there shall receive any writ of covenant, writ of entrie, or other writ, whereupon a any fine or recoverie is to passe, unlesse the day of acknowledgement thereof shall appeare by such certificat, in pain of 40 s.

CLV. No Attournment upon any fine there, shall be entred upon Record, except the partie mentioned to attourne, have first appeared in Court in person or by attourney, warranted by the hand of one of the Justices of the same Court, upon any writ of *Quid juris clamat, quem redditum reddit, or per qua servitia*, as the cause requieth; And every attournment otherwise entred shall be void, without writ of Error or other meanes to avoid it.

CLVI. There shall be in the said places an Office of Inrolments erected to continue for ever, for the inrolling of fines and recoveries, as aforesaid, and the Justices there, shall (within their several limits) enjoy the said office, and the disposition thereof, and carefully see to the execution of the same, by due examination of such enrolments, and for their paines and care therein shall have certain fees allowed them, for which see the Statute at large.

CLVII. Unto every Roll by any Justice so examined he is to subscribe his hand, in paine of 40 s. and any of the said Justices may take order in all things needfull for the said Inrolments, and upon examination may in the said Courts assess such fines and amerciaments on any Clerke, Sheriffe, Attourney or other person, for misprision, contempt, or negligence, in any thing concerning such fines and recoveries, as to them or any one of them shall seem meet; Which fines and amerciaments shall be estreated, as others use to be out of the said Courts.

CLVIII. The Exemplification of any such Record of any fine or recovery thereof, or any part thereof (in the said 12 Shires of *wales* and the town of *Haverford-west*) under the judicial seal, or (in the said Counties Palatine) under the Seal of the respective Countie Palatine, shall be of as good force, as the original record it self.

CLIX. The Justices Clerks may write out and enrol the said Records, but shall not carrie them out of their offices:

CLX. No Fine or Recovery heretofore levied or suffered, shall after exemplification be amended.

CLXI. This Act shall not prejudice the heires of Sir *Edward Gray* Knight, Lord *Powis*, or Sir *Edward Herbert* Knight his heires or assignes, or *Henry Vernor*, or *John Vernor* Esquires, their heires or assignes, concerning any fine levied, or recoverie suffered by or against the said Lord *Powis*, of lands in the County of *Mountgomery*; Nor to *Henry* now Earle of *Kent*, concerning any lands in *wales*, whereunto he pretends title.

Walsingham.

I. **Stat. 35. H. 3. 13.** The Demesne lands in *Walsingham*, belonging to the late Priorie there, may be let by Copic, and shall hereafter be Copiholds.

Wapping-Marsh.

I. **Stat. 35. H. 8. 9.** An Act for the Partition of *Wapping-Marsh*.

Wards.

I. **Magna Chart. 3. 9. H. 3.** The Lord shall take homage of the heir within age, before he have the wardship, and such heir after he hath been in ward shall (at his full age of 21 years) have his Inheritance without relief or fine, and if the heir within age be made a Knight, yet his land shall remain in Ward, until his full age aforesaid.

II. **Magna Charta, 6. 9. H. 3.** Heirs shall be married without disparagement.

III. **Magna chart. 27. 9. H. 3.** If any hold of the King by Fee-farm, Soccage, or Burgage, and holdeth lands of another by Knight-service, the King will not have the custody either of the heir or land, by reason of the tenures in Fee-farm, Soccage, or Burgage; Neither will he have the custody of such Fee-farm, Soccage or Burgage, except Knight-service be due to him out of such Fee-farm: Also by reason of petty Serjeancy (*viz.* to pay a Knife, Arrow, or the like) the King will not have the custodie either of the heir or land.

IV. **Merton. 6. 20. H. 3.** Where heirs are led away and withholden, or married by their parents or others, with force against the Peace, if a lay-man be convict thereof, he shall render to the party the value of the marriage, and remain in prison until he hath satisfied the same (if the childe be married) and besides until he hath satisfied the King for the trespass: Howbeit, this is to be understood of an heir within age of 14 years.

V. If an heir 14 years old, or above marrie himself without licence of his Lord, to defraud him of the marriage, and his Lord offer him reasonable and convenient marriage without disparagement, the Lord shall retain the land beyond the term of his full age, until he may receive the double value of the marriage, according to the estimation of lawful men, or as was offered him before without fraud or collusion, and as it may be proved in the Kings Court.

VI. If Lords marry their heirs to Villains, Burgeses, or others

thers, whereby they are disparaged, such heir being then within the age of 14 yeares; In this case upon complaint of the Wards friends, the Lord shall lose his wardship, and the profits thereof shall be (by friends) converted to the use of the heir: But if he be 14 years old or above, and consent to such marriage, no pain shall ensue.

VII. *Merton*, 7. 20. H. 3. If an heir (of what age soever he be) will not marry at the request of his Lord, he shall not be compelled thereunto; But when he is of full age, he shall pay his Lord (before he receive his land) as much as any would have given the Lord for the marriage; And that, whether the heir will marry himselfe or not; for, of right, the marriage of the heir within age pertaineth to the Lord.

VIII. *Parlb.* 6. 52. H. 3. Where any enfeoffe their eldest sonnes and heires within age of the Inheritance, with purpose to defraud the Lords of their Wardships; It is accorded, that by occasion of any such feoffment no chief Lord shall lose his Ward.

IX. As for such as feign false feoffments of their lands, which they would deliver out for term of years, with purpose to defraud the Chief Lords of their Wards, in which Feoffments is contained, that they are satisfied of the whole service due unto them, untill a certaine time, so as such Feoffees are bound at the said terme to pay a certaine summe to the value of the same lands, or farre above, so that after the end of such terme the land shall returne to such Feoffors and their heires, because no man will be content to hold it at the price; It is accorded that by such fraud no Chief Lord shall lose his ward: Howbeit the Lords shall not disseise such Feoffees without judgement, but shall have a writ of *Ejectione custodie* to recover the Ward; And then by the witnesses to the feoffment with other lawfull men of the Countrey, the value of the land, and the quantity of the summe payable after the terme, it shall be tried, whether such feoffments were made *bonâ fide*, or by Collusion, as aforesaid: And if the chief Lords in such cases recover their Wards by judgement, the feoffees neverthelesse may have their action to recover such terme or fee (which they had therein) when the heires come to their lawfull age.

X. Where chief Lords maliciously implead such feoffees, feigning this case, when the feoffments were made *bona fide*, in such cases, the feoffees shall recover against the chiefe Lords their damages and costs, and besides the Plaintiffs shall be punished by amercia-ment.

XI. *Parlb.* 7. 52. H. 3. In a plea of *Communi Custodia*, if the deforceors come not at the great distresse, that writ shall be renewed twice

twice, or thrice, at such termes as it may be done in, within the half year following, so as at every such time the writ may be read in open County (if the deforcceor be not found before) and be there openly proclaimed, that he may appeare at the day limited; and if he come not in to answer within the half year, nor the Sheriffe can take his body, to answer before the Justices, according to law; then as a Rebel and one that will not be justified, he shall lose the seisin to the Ward; saving unto him at another time his Action, if he have right to the same.

XII. Howbeit, where the wardship belong to the Guardian of Wards, being within age, and where Guardians demand a Wardship, which belongeth to the heir, such heirs (within age) shall not lose their inheritance by the negligence of their Guardians as in the case aforesaid, but in such cases the common law shall run as hath been accustomed.

XIII. *Parlbz.* 17. 52. H. 3. Guardians in Soccage shall make no waste, sale, or destruction of the heirs Inheritance, but safely keep the same to the use of the heire, and when he cometh to age shall answer him the issues thereof by a lawfull accompt, saving their reasonable costs; Neither shall such Guardians sell the marriage of such heir; but to his advantage, and the Kinsfolk, that have such Ward (from the time that writs of impleading have not been granted, which seemes to be by *Magna Chart.* 27. See before 3) shall have such Wardship to the heires advantage, without making waste, sale, or destruction, as aforesaid.

XIV. *Stat.* 1. 21. 3. E. 1. Guardians shall keep the lands in Ward without destruction, according to *Magna Charta*: so also shall Archbishopricks, Bishopricks, Abbacies, Churches, and all spiritual dignities be kept in time of vacation.

XV. *Stat.* 1. 22. 3. E. 1. The Statute of *Merton* 6. (before 4) as to the marriage of heires without their Guardians consent is confirmed.

XVI. The Lord may hold the land of heires females two years after their age of 14. within which two yeares if he marrie them not, they shall go quit, without giving any thing for the Wardship or Marriage, and if they wil not accept a convenient marriage tendred by the Lord, he shall hold the land till their age of 21 yeares and over untill he have taken the value of the marriage.

XVII. *Stat.* 2. 16. 13. E. 1. Where one holdeth sundry lands of divers Lords by Knight-service, that Lord shall have the marriage, by whom the childes Ancestor was first enfeofed, without having respect to the sex, or the quantity of the land, but onely to the more ancient scoffement.

XVIII. *Stat.*

XVIII. West. 2. 35. 13. E. 1. Where children (whose marriage belongeth to another) are taken away (the ravisher having no right to the marriage) albeit the ravisher afterwards restore the childe unmarried, or pay for the marriage, yet for his offence he shall be punished by two yeares imprisonment; and in case he do not restore, or marry the childe after yeares of consent, and be not able to satisfie for the marriage, he shall abjure the Realme, or have perpetual imprisonment, and thereupon the plaintiff shall have a writ of Ravishment or Ward in this form.

XIX. Si A. fecerit te securum de clamore suo, &c. tunc pone per vrad. &c. B. quod sit coram Justit. &c. ostensurus, quare talem heredem infra etatem existentem, cujus maritadium ad ipsum pertinet, tali loco inventum rapuit, & abduxit contra voluntatem ipsius A. & contra pacem nostram, &c.

XX. If the heir be in the same County, then this clause is to be added; Et diligenter inquiras, ubi ille heres sit in baliva tua, & ipsum (ubicunq; fuerit inventus) capias, & salvo & secure custodias, ita quod eum habeas coram prefat. Justit. nostris ad prefat. terminum, ad reddendum, cui predictorum A. vel B. reddi debeat.

XXI. Process shall be made against the offender by distresse, if he have whereby to be distrained, or else (for his contumacie) he shall be outlawed.

XXII. If the heir be married, or carried into another County, the writ shall be directed to the Sheriff of that other County, in this form;

Questus est nobis A. quod B. nuper talem heredem infra etatem & in custodia sua existentem tali loco in tali Comitatu rapuit, & de Comitatu tali ad talem locum in Com. tuo abduxit, Contra voluntatem ipsius A. & contra pacem nostram, &c. Et ideo tibi precipimus, quod predictum heredem (ubicunq; in baliva tua invenire poteris) capias & salvo & secure eum custodias; Ita quod eum habeas coram Justit. nostris, &c. tali die, quam idem A. habet versus predict. B. ad reddendum, cui de jure reddi debeat.

XXIII. The death of the heir (before he can be found or restored to the plaintiff) shall not stop the suit, nor excuse the ravisher from punishment; or if the plaintiffe die, his heir shall revive the suit, if the right did belong unto the plaintiff by reason of his proper fee; but if it were by gift, sale or the like, the suit shall be revived by his executors; or in case the defendant die, the suit shall be re-summoned betwixt the plaintiffe, his heirs or executors, and the executors of the defendant, or his heirs, if the executors be not

sufficient to satisfy the value of the marriage, but not as to the pain of imprisonment, for none shall be punished for anothers offence.

XXIV. Also in a writ *de communi custodia*, if either party die, hanging the suit, resummons shall be made betwixt the heirs and executors of the plaintiff; and the heirs and executors of the defendant, and when they have passed to the great distress, day shall be given, within which time three Counties may be holden at least, in every of which proclamation shall be made that the deforcceor shall appear in the Bench at the day contained in the writ to answer the plaintiff, at which day if he come not, and the proclamation be returned once, twice or thrice, the judgement shall pass for the plaintiff, saving the defendants right, if after he will claim it. The like also shall be done in a writ *de ejectione custodie*.

XXV. The Statute of Wards and Reliefs, 28. E. 1. where any relief is given, there Wardship is incident, & *contra*.

XXVI. Unto *Grand Serjeancie*, viz. to go with the King in his host, ward and relief are incident; but not to petty *Serjeancie*, as to bear shield or spear there.

XXVII. A free *Sokeman* shall neither give ward or relief, but shall double his rent after the death of his ancestor, and shall not be unmeasurably grieved.

XXVIII. There are two kinds of writs to recover wards, viz. the one where land is holden in Knight-service, and the other, where it is holden in soccage: The Ward of land in Knight-service belongs to the Lord, and the marriage also (which ought to be without disparagement) until he attains to the age of one and twenty years.

XXIX. The Ward of an heir that holdeth in soccage, if the land descended on the mothers side, belongs to the next friend on the fathers side, & *contra*.

XXX. There are three manner of writs to recover Ward. 1. When both the land and heir is demanded (called a Writ *de communi custodia*) and in this case the chief Lord shall recover both the Ward and marriage. 2. When the tenant hath purchased lands holden of several Lords, in which case, the Lord, of whom the land last purchased is holden, shall neither have the land nor heir, but the Lord that first enfeoffed the tenant shall have them. 3. When one hath lands by reason of a Ward, but hath not the heire, here he may have a writ to demand the heire, and not the land; and this is called a writ of Ravishment of Ward.

XXXI. Pre203.

XXXI. Perog. Regis, 1. 17. E. 2. The King shall have the ward of all lands holden of him in chief by Knight-service, whereof the tenant died seised (of whomsoever they hold by like service, so as they held anciently any land of the Crown) untill the heir come to his lawful age; except the fees of the Archbishop of *Canterbury*, the Bishop of *Duresme* between *Tine* and *Tees*, fees of Earls and Barons in the Marches where the Kings writ runs not, and where such Archbishops, Bishops, Earles, and Barons ought to have such Wards, albeit they hold of the King in some other place.

XXXII. Perog. Regis 2. 17. E. 2. The King shall have the marriage of an heir being within age and in his ward, whether his lands have appertained to the Crown of ancient continuance, or came by Escheat, being in the Kings hands, or by reason of another wardship, without respect of priority or posteriority of feoffment, albeit such heir held also of others.

XXXIII. Perog. Regis 6. 17. E. 2. If a woman (before her ancestors death that held of the King in chief) be married before her age of consent, the King shall have the ward of her body, until her age of consent, and then it is at her election, whether she will have him whom she first married, or him whom the King will offer her.

XXXIV. None that holds of the King in chief by Knight-service, shall (without the Kings licence) alien so much of his lands that the residue is not sufficient to do his service: Howbeit, this is not to be understood of members and parcels of such lands.

XXXV. Stat. 14. E. 3. Stat. 1. 13. After the death of the Kings tenant in chief, the Escheator shall cause to be seized into the Kings hands the lands as to their office appertains, without doing waste in houses, Woods, Parks, Ponds, or other extortions, which may tend to the damage of the heir, and forthwith after the *Diem clausit extremum* delivered to him, shall make return thereof by a good and true extent in the Chancery.

XXXVI. After such return, if the next friends of the heir, to whom the inheritance cannot descend, shall come and offer to take the said lands, until the heir be at age, and to give for the same as much as another, without fraud, by accord of the Chancellor and Treasurer, they shall have commission to keep them (upon good security) until his full age, answering to the King the value thereof.

XXXVII. Howbeit, this Act shall not conclude the King from having an Action of waste against such Guardians and Farmers; the
Heir

Heir also may have like action against them, when he comes to age.
 XXXVIII. Stat. 39. H. 6. 2. Women being of the age of 16 years, at the time of the death of their Ancestors, shall have livery of their lands descended to them.

XXXIX. Stat. 4. H. 7. 17. The Statute of *Marlb.* 6. 52. H. 3. (before 4.) is confirmed.

XL The Lord of *Cestique use* (no Will of his ancestor being declared in his life-time) shall have a Writ of right of Ward for the body and the land; and the heire of *Cestique use* being at full age at the death of his ancestor, shall pay relief; the heire also of *Cestique use* shall have like action of waste, as if his ancestor had died seised, and if the Lord be barred in his writ of right of ward, the defendant shall recover damages.

XLI. Stat. 31. H. 8. 46. The Court of the Kings Wards is erected, which shall be a Court of record, and shall have a seal to be engraven, as the King shall appoint,

XLII. A certain person shall be assigned by the King, his heirs and successors, to be Master thereof who shall be the chiefe Officer of the same Court, shall be called the *Master* of the Wards, and shall have the keeping of the said seal.

XLIII. Another person learned in the Law, to be likewise assigned by the King, shall be called the Kings Attourney of that Court, and shall be the second Officer thereof.

XLIV. Another also to be assigned by the King, shall be called the Receiver general of the lands of his Wards and shall be the third Officer of that Court.

XLV. There shall be two persons, to be named also by the King, who shall be called the Auditors of the lands of the Kings Wards, and shall be also called the the fourth Officer of the said Court.

XLVI. There shall be two Clerks named by the King to be Clerks of the said Court, who shall make all Indentures, Bargains, and Leases, made of Wards lands, record all apparences, and make all ordinary proceffe, and entries out and from the said Court.

XLVII. There shall be also one person named by the King to be Messenger of that court, and another who shall be called Husher thereof, which Messenger and Husher shall have like profits and advantages, as such Officers have in the Dutchie Chamber at *Westminster*.

XLVIII. There are diverse Oaths ordained for the severl Officers of the said Court, viz. for the Master, to be given him by the Lord Chancellor; also for the Attourney, General Receiver, Au-

Auditors, particular Auditors, particular Receivers, Clerks of the Council of the said Court, Surveyors and Feodaries, to be ministered to them by the Master; *For all which see the Statute at large.*

X L I X. All the Kings Wards together with their lands and hereditaments, shall be in the Order, Survey, and Governance of the said Court, and of the Ministers thereof.

L. The Master, Attourney, Receiver, and Auditors, or three of them, (whereof the Master is to be one) may make sale of, or grant the Kings Wards, and demise their lands, during the nonage of such Wards, and so long as the said lands shall remain in the Kings hands.

L I. Such sale or grant shall passe by Bill assigned, which shall be sufficient Warrant to the Lord Chancellor to make forth the Kings letters patents under the great seal, according to the tenor of the said bill, paying for the same such fees as are accustomed to be paid in Chancery, to the signet and privie Seal.

L II. The Master with the advice of the Attourney and Receiver, or one of them, may (without the Kings Bill assigned) make Wood-sales of underwoods growing upon the Wards lands, and take and appoint timber for the repair, of the Wards Castles, Mannors, lands, tenements, and Parks, and (during the Wards nonage) may make leases of his possessions, remaining in the Kings hands, upon such rents as the Master, Attourney, Receiver, and Auditors, or three of them, shall think fit.

L I I I. The Master may appoint Receivers, Feodaries, and Surveyors in every County, and their fees also, under the seal of the same Office, so as such Officers may be alwayes removable at the discretion of the Court.

L I V. The Master may make allowance of the costs of all Commissioners, particular Receivers, Surveyors, Auditors, Counsellors, and Feodaries, by his Bill assignee, which shall be sufficient warrant to the Auditors to make allowance thereof.

L V. The Master in all places, and the Attourney, Receiver, and Auditors, or two of them in Court (the Master being absent) may take Obligations to the Kings use of every particular Receiver, and of his sureties for sure payment of his receipts; and also of every Farmer, Bailiff, and other Accomptant and debtor to the King, for any matter or cause whatsoever determinable in the said Court.

L V I. All such obligations shall be of like force against all persons spiritual and temporal, as a Statute-staple, and upon certificate thereof into the Chancery, shall have like proceffe and execution.

L V I I. The

LVII. The Master shall award under the Court Seal, in the Kings name, such processe and precepts with reasonable pains, as be now used in the Duchie-court against all persons concerning the Kings interest in any Wards estate, or for any other cause appointed to the order of the said Court.

LVIII. The Attourney, Receiver, and Auditors, shall attend the Master in the said Court, for hearing and ordering causes there, during the four terms in the year usually kept for the Law at *westminster*, and shall procure with all diligence that the revenues of Wards, marriages and Idiots, and of their lands, tenements, and hereditaments may be truly paid to the Receiver general for the Kings use; and shall cause processe to be made against the Kings debtors and their sureties.

LIX. Under-officers shall give attendance upon the Master for the due execution of the premises without delay, upon such pains as shall be assessed by the King, upon the Masters information.

LX. If any Officer conceale or withdraw any of the Kings profits, he shall forfeit to the King the double value thereof.

LXI. Auditors General may examine the accompts of particular Accomptants, taken by particular Auditors, and may allow and disallow, as to the Master, Attourney, Receiver general, and Auditors, or three of them (whereof the Master to be one) shall be thought expedient.

LXII. Particular Accomptants shall yearly finish their accompts, by the first of *February*, and make full payment to the Receiver general within three moneths after.

LXIII. The Receiver general shall give acquitances for money, and Obligations received by him to the Kings use, which acquitances shall be a sufficient discharge as well against the King, as to the Auditor to make due allowance for the same.

LXIV. The Receiver general shall yearly before the 20th. of *March*, declare his Accompt to the Master, Attourney, and one or both of the Auditors, who shall determine that accompt before the last of *July*, and then within one moneth after the Receiver shall make payment of all such summes of money as shall be found due to the King upon his accompt, and after such determination of the Accompt, the Auditor shall engrosse it in parchment, and returne it into the office of the Wards, there to remain as the Kings records.

LXV. Such diets, rewards, profits, and commodities shall be allowed to the particular Auditors, and all other officers and Ministers accomptants, as to the Master, Attourney, Receiver, and Auditors, or three of them, shall be thought convenient.

LXVI. The

LXVII. The Receiver general upon his account shall be allowed as well all such fees, as shall be limited unto him for the exercise of his office, as for all such sums of money as he shall pay to any person or persons by order under the Seal of the Court, warrant from the King, or bill assigned by the master.

LXVIII. The Auditors upon the accompts of the Receiver general or particular Receivers, shall allow to the said Receiver general the premises; and also to every particular Receiver all such fees and allowances, as to the Master, Attourney, and Auditors, or two of them (whereof the Master is to be one) shall be thought expedient.

LXVIII. All processes made out of the Exchequer for any farm, rents, issues, profits, or other thing, which by this Act are limited to be within the order and survey of this Court, or the Ministers thereof shall be void.

LXIX. The revenue of this Court shall be paid to the Treasurer of the Kings Chamber, or to any other that the King shall appoint by commission under the Great Seal to receive the same; And a Bill subscribed with the hand of such a Treasurer or Commissioner shall be a sufficient acquittance, as well for the Master and Receiver for all payments of money, as to the Auditors for allowance thereof: The Master also and Receiver general shall once in the year declare unto the King the profits and estate of the said office.

LXX. The Master and Officers of this Court shall take for each proceſſe and commission at the suit of the parties 2 s. 6 d. and for recording every apparance, 4 d. and no more.

LXXI. The Master with the advice of the Attourney, Receiver, and Auditors, or three of them (whereof the Master is to be one) have authority to survey the Kings widows that have married themselves without the Kings licence, and to conclude with them for reasonable fines to be assessed by their discretion, according to the Statute of *Prærog. Regis*, 4. 17. E. 2. (which see in Women) which fines shall be paid to the Receiver general, so as they may appear yearly in his accompt.

LXXII. The Master, with the advice of the Attourney, Receiver, and Auditors, or three of them, shall survey, govern, and order all Idiots and natural Fools, and their lands, tenements, and hereditaments, which shall come into the Kings hands by his Prærogative Royall: The Master also, with the like advice of the Attourney, Receiver, and Auditors, or two of them may demise their lands, &c. having therein consideration of the livelihood of them

them, their wives and children, and of the reparations of their houses and lands: This revenue also is to be paid to the Receiver general, so as the same may appear in his accompt, and be recorded in the Court.

LXXIII. The Master of the Kings liveries shall pass no livery, before he is informed from this Court, in what condition the accomptants, tenants, and farmers of the Wards lands do stand, and what surety, and order is taken for the same, and for the rates to the Kings: Also, every Ward having his livery shall within six moneths after bring it to the Auditors (or one of them) to be enrolled, and shall pay for the enrolment thereof such reasonable, sum as shall be appointed by the Master, so as it exceed not 10 s.

LXXIV. The grantee of a Wardship must sue forth his patent within four moneths next after the assignment of the bill for the same, otherwise such bill is void.

LXXV. The Receiver general and the chief Auditors shall yearly receive from the general Receiver such allowances for their pains and expences, as the Master and Attourney shall by their discretions appoint; and the said Auditors shall have power to allow the same.

LXXVI. The Master with the advice of the Attourney and Receiver-general, or one of them, hath power to call before them into the office of the Wards by processes of the same Court, all such persons as intrude and enter upon heires estates after their full age, and before they have obtained their livery, or *Ouster le main*, under the Great Seal, as well to make answer for such intrusion, as also to restore the rents and issues by them received after their full age and before their livery sued.

LXXVII. If any person summoned by processes of this Court to appear at a certain day, and have day given him to answer, shall depart the Court before answer made, and Attourney put into the Court, he shall forfeit such fine to the King as the Master, Attourney and Receiver general, or any two of them shall think fit, to be levied of his lands and tenements, goods and chattels.

LXXVIII. *John Perin*, now Auditor of the Kings Wards lands shall continue to be one of the two Auditors, before in this Act mentioned, during his life.

LXXIX. Stat. 33. H. 22. The Office of Master of the liveries shall be united to the Court of Wards, and the office to compound for liveries shall be within the rule and governance of that Court; also the Master of the Kings Wards shall be from

henceforth the Master of the Kings Wards and liveries, and all other Officers and Ministers appointed for that Court by the Statute of 32. H. 8. 46. shall from henceforth be called Officers, and Ministers of the Kings Court of his wards and liveries.

L X X X. The King shall appoint an Officer in the said Court, who shall be called the Surveyor of the Kings liveries, and shall be the second person thereof, and then the Attourney shall be the third, and all the rest of the officers shall be placed, as by the said Act of 32. H. 8. is provided.

L X X X I. There shall be also a Clerk of the liveries appointed by the King, who shall make all Indentures, schedules, obligations, and writings of bargaines, made for liveries, which being done, the one part thereof (sealed with the seals of the Master and Surveyor) shall remain with the party or parties; and all such indentures, obligations and accompts made thereupon shall have like force, as obligations, indentures, and accompts, have by the said Stat. of 32. H. 8. and so shall be ordered accordingly.

L X X X I I. The said Surveyor and Clerke shall take several oaths: *For which see the Statute at large.*

L X X X I I I. All liveries shall from henceforth be in the order, survey, and governance of the said Court of the Kings wards and liveries, and of the Ministers of the same.

L X X X I V. None having lands above the yearly value of $\text{5 } l.$ shall sue for livery before office found, neither shall any writ or commission passe out of the Chancery for finding the same, but by warrant or bill subscribed with the hands and names of the Master, Surveyor, Attourney, and Receiver, or three, two, or one of them, to be directed and delivered to the Lord Chancellor of *England*, or other Chancellor or Officer, having power to award such writs: And he that procures such writ or commission, shall pay for the same the fees accustomed; but if the lands, which are to be found by such office or inquisition, exceed not the value of $\text{5 } l.$ *per annum*, the fee for the seal shall be $\text{6 } d.$ and for the writing $\text{6 } d.$ and no more.

L X X X V. Inquisitions found by vertue of any such Writs or Commissions shall be returned by the Escheators into the Court from whence such Suits or Commissions came; And the Clerkes of the Petty-bagge shall receive such offices, and make transcripts thereof to the Master of Wards and Liveries, as they are bound, and have been accustomed to do into the Exchequer; And all this, upon such paines, as are limited by the Lawes and Statutes of this Realm in such cases.

L X X X V I

LXXXVI. The Master, Surveyor, Attourney, and Receiver, or three of them (whereof the Master or Surveyor are to be one) have power after such inquisitions found, to covenant with any person for his livery, and to set the rate for the same, and to stall the dayes of payment thereof by obligation or obligations, to be to the King, which obligations shall be of like strength as those taken by the Court of Wardes be of, by the Statute of 32. H.8. 46. And bills for special or general livery, assigned by the hands of the Master, Surveyor, Attourney, and Receiver, or three of them (whereof the Master or Surveyor shall be one) shall be sufficient warrant to the Chancellor of *Eegland*, Chancellor of the Dutchy, or other Chancellor (having power to passe livery under any of the Kings Seals) for the making out, sealing, and delivery of any liveries, according to the tenor of such bills.

LXXXVII. Provided, that the Lord Privie Seal, the Lord Chamberlaine, the Kings principal Secretaries, the Master of the Rolls, the Clerks of the Signet, privie Seal, and Petty bag, and all other officers and Clerkes of the Chancery, or elsewhere, shall be paid all such fees as have been accustomed; All which fees shall be received and paid by the Clerkes of the Petty pag, if the liveries be lued in Chancery, or by other Clerkes, by whom such liveries are written in other Courts.

LXXXVIII. Every person may sue a generall livery for Manors, lands, Tenements or Hereditaments not exceeding 20 *l. per annum*. Howbeit no such livery shall be sued, without an office first found and certified and such bill or warrant as afore said.

LXXXIX. For a general liverie of lands exceeding 5 *l. per annum* the fee for the Seal is 20 *s. 4d.* besides all other fees, as hath been accustomed; But where they exceed not 5 *l. per annum* the fee for the Seal is 20 *d.* to the Clerkes of the Pettie bagge for writing and enrolling thereof 20 *d.* for the respect of Homage in the Hana- per 8 *d.* to the Lord Chamberlaine 20 *d.* to the Master of the Rolls 20 *d.* and to the Clerk of the liveries for the warrant and enrolling the livery 20 *d.*

XC None shall pay in the Exchequer, or other Courts for respect of Homage, where the lands exceed not 5 *l. per annum* above 8 *d.* and for the entring thereof and warrant of Attourney 4 *d.*

XCI. The value of lands not exceeding 20 *l. per annum* shall be taken, as is limited in the offices found thereof, except by Certificat of the Master, Surveyor, Attourney, and Receiver, or three of them, it shall be declared otherwise in any of the Kings Courts.

XCII. Neither the Surveyor nor the Clerk of of the liveries shall

willingly withdraw or conceale any record or profit, that should come to the King in pain to lose to the King, the double value of the thing so concealed, or withdrawn, to be levied and recovered upon an information by the partie grieved, being duly proved in the Court of Wards and liveries.

XCIII. The Master hath a power to take Recognisances for appearance in this Court, which recognisances shall be as good and effectual in law, as recognisances taken in Chancery or elsewhere.

XCIV. The Master with the advice of the Court (there being two there, at least, besides the Master) hath power to moderate forfeited recognisances, and to set fines for the same to the Kings use, to be levied by like proceſſe of *Scire facias*, as by the Statute of 27. H.8.27. is given to the Chancellor of the Court of Augmentations: The Master also (with like advice, as aforesaid) hath power to commit any person to prison for disobedience, contempt, or other offence, made triable in the said Court, and upon the said matters ordered or decreed to enlarge them; And to cancel all recognisances and obligations taken in the said Court, when the causes of taking them are ended, and the King or partie thereupon satisfied; and thus he may do without any other warrant for the same:

XCV. The heire of lands not exceeding 5 *l. per annum* may sue his generall livery by warrant out of this Court without any office found or certified thereof, and shall also pay for the same such fees as are above expressed for liveries of lands not exceeding the yearly value of 5 *l.*

XCVI. Every livery must be sued forth within 3 moneths next after the assignement of the bill for the same.

XCVII. The Clerks of the Petty bagge, shall certifie into the Exchequer transcripts of offices found betwixt *Easter & Michaelmas*, in *Michaelmas* terme, and those found betwixt *Michaelmas* and *Easter*, in *Easter* terme.

XCVIII. This Act shall not prejudice the liberties of the County Palatine and Duchy of *Lancaster* or either of them

XCIX. Stat. 18. El. 13. Transcripts of offices, found before Escheators or Commissioners within the Counties Palatine of *Lancaster*, *Chester*, and *Durham*, shall be certified into the Court of Wards.

Wares.

I. Stat. 5. El. 7. None shall bring or cause to be brought into this Realme from beyond sea, any girdles, harnesse for girdles, Rapiers,

Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, or Sheathes for Knives, Saddles, Horse-harnesse, Stirrops, Bits, Gloves, Points, Leather-laces, or Pinnes, being ready wrought, beyond sea; to be sold, bartered, or exchanged in this Realme or *wales*, in pain to forfeit the same or the value thereof to be divided betwixt the Queene, and the Prosecutor.

Warrantie.

I. **The Statute of Bigamie**, 6. 4. E. 1. In deeds containing *Dedi & concessi tale tenementum*, without homage, or any clause of Warrantie, and to be holden of the donors and their heirs by a certain service; in this case, the donors and their heirs are bound to Warrantie: But where the deed is *per dedi & concessi, &c.* to be holden of the chief Lord of the fee, or of other, and not of the feoffors and their heirs, reserving no service, and without homage, and the aforesaid clause; here, the feoffors heirs shall not be bound to Warrantie; Howbeit, the feoffor himself during his life (by force of his own gift) is bound to warrant.

II. **The Statute of Gloucester**, 3. 6. E. 1. Where tenant by the courtesie aliens his wifes land, his son (having no *assets* by descent) shall not be barred to recover the land by a writ of *Mortd'ancester*, of the seisin of his mother; albeit his fathers deed mentioneth, that he and his heirs shall be bound to Warrantie; but in case, any land descend to the heir of his fathers side, he shall be barred for the value of the inheritance so descended.

III. Also if afterwards any inheritance descend to him by the same father, the tenant shall recover against him of the seisin of his mother, by a Judicial writ to be issued out of the Rolls of the Justices, before whom the plea was pleaded, to resummon his warrantie, as hath been heretofore used in cases, where the warrantor pleads *riens per descent* from him, by whose deed he is vouched.

IV. Likewise the issue of the son may recover by writ of of *Cofinage*, *Ayel* and *Besayel*; neither shall the heir of the wife be barred of his action, after the death of his father and mother, by writ of *Entry*, for land which his father did alien in the time of his mother, whereof no fine is levied in the Kings Court.

Warre.

I. Stat. 1. E. 3. 7. Whereas Commissioners have heretofore prepared men of Armes, and conveyed them to the King in *Scotland*, *Gascoigne*, and elsewhere at the charge of the Shires, whereby the Commons have been much impoverished; The King will, that it shall be done so no more.

II. Stat. 18. E. 3. 7. Men of Arms, Hobblers, and Archers chosen to go in the Kings service out of *England*, shall be at the Kings wages, from the day that they depart out of the Countreys, where they were levied, till their return.

III. Stat. 25. E. 3. Stat. 5. 8. None shall be constrained to finde men of Arms, Hobblers, or Archers, but by tenure of land or grant in Parliament.

IV. Stat. 4. H. 4. 13. The Statutes of 1. E. 3. 7. 18. E. 3. 7, and 25. E. 3. Stat. 5. 8. shall be holden in all points; yet so as Lords and all others, that have lands in *wales* or the Marches thereof, or hold of the King by Escuage or other service, shall in no wise be excused of their service and devoirs due to the King for their lands, fees, annuities, pensions; or other profits.

V. Stat. 11. H. 7. 18. Every person in *England* and *wales* having any office, fee, or annuity of the Kings grant, shall personally attend upon him, when he goes himselfe in person in the wars (unless he have the Kings licence, or be letted upon some just cause well proved) in pain to forfeit such office, fee, and annuity. Howbeit, this Act shall not extend to any spiritual person, the Master of the Rolls or other Officer or Clerk of the Chancery, Justices, of either Bench, Barons of the Exchequer, or other Officers or Clerks of the said places, the Kings Attourney or Solicitor, Serjeants at law, any of the Kings Officers in *Barwick* or *Carlisle* or the Clerk of the Kings Council: See also another Statute to the like effect for the forfeiture of lands made 19. H. 7. 1.

VI. Stat. 16. 17. Car. 2. An Act was made for the relief of the Kings Army and the Northerne parts of this Kingdome, otherwise called the Act of the Poll-money, or four subsidies.

VII. Cap 3. Another Act was made for the reforming of some things mistaken in the Stat. of 16. Car. 2. And to make good the Acts of the Commissioners, and other Officers by them authorized or appointed, and to be then authorized or appointed.

VIII. Cap. 4. Another Act was made for the levying of two in-

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re subsidies for the further relief of the Kings Army, and the said Northern parts of the Kingdome.

IX. Cap. 5. An Act was made for the levying of mariners, sailors, and others for the present guarding of the seas, and necessary defence of the Realm.

X. Cap. 9. This Act was made for the speedy provision of money for disbanding the Armies, and settling the peace of the two Kingdomes of *England* and *Scotland*.

XI. Cap. 13. Another Act for the securing of such moneys as are or shall be due to the Inhabitants of the County of *York*, and the other adjoining Counties, wherein the Kings Army is or hath been billeted, for the billet of the souldiers of the said Army, as also to certain officers of the same Army, who do forbear part of their pay, according to an order in that behalf made in the Commons house of Parliament this present Session, for such part of their pay, as they shall so forbear.

Waste.

I. Magna chart. 4.9. H. 3. No Waste shall be made by the Guardian in wards lands; and if the custody be committed to the Sheriff or any other, that is accountable to the King, and they commit waste, they shall make recompence, and the wardship shall be committed to two discreet men of the fee, who shall answer the issues of the land to the King or his Assignee.

II. The Committee of the Ward making such waste shall lose the custody, and then likewise he shall be committed to two discreet men, who shall be answerable to the King, as aforesaid.

III. Magna chart. 5.9. H. 3. The Guardian of the Wards lands shall with the issues thereof uphold his Houses, Parks, Warrens, Ponds, Mills, and other things, pertaining to the said lands; and shall deliver unto him at his full age lands stored with ploughs and other things (at least) as he received them.

IV. The like shall be observed in the custodies of all spiritual dignities, which pertain to the King, during their vacancy: Howbeit, such custodies ought not be sold.

V. Parlbz, 23.52 H. 3. Pars inde. Farmers (during their terms) shall not make waste, sale, or exile of house, woods, men, or any thing else, which appertains to the tenements, that they have in farms; without special licence had by writing of Covenant, making mention, that they may so do; in pain, that they (being

thereof convict) shall yield full damage, and be grievously punished by amerciamment.

VI. **The Statute of Gloucester**, 5.6. E. 1. An Action of Waste is maintainable against tenant by the courtesie in dower, for life or years and the party attainted thereof shall lose the thing wasted and recompence thrice so much, as such waste is taxed at.

VII. As for waste done in the time of Wardship, *Magna Chart.* 4.9. H. 3. (before 1.) shall be observed; and moreover, the Guardian shall recompence the heir for the Waste done, if the Wardship lost shall not amount to the value of the damages, before the heirs full age.

VIII. *Stat.* 2. 14. 13. E. 1. The processes in an action of waste shall be summons, attachment, and distress, and if the defendant appear not upon the distress, a writ of inquiry shall be directed to the Sheriff to inquire of the waste, upon return whereof the Court shall proceed to judgement, according to the Statute of *Gloucester*, cap. 5. before.

IX. *Stat.* 2. 22. 13. E. 1. An Action of waste shall be maintainable by one tenant in common against another of wood, turf-land, fishing, or the like; and when the cause comes to judgement, the defendant shall chuse either to take his part in a certain place (to be set out by the Sheriff with a Jury) or to grant to take nothing, but as his pernors do; and if he chuse to take his part in a place certain, the place wasted shall be assigned for his part. The writ in this case is, *Cum A. & B. tenent Boscum pro indiviso, B. fecit vastum, &c.*

X. **The Statute of Waste**, 20. E. 1. An action of Waste is maintainable by the heire for waste done in his ancestors time, as well as for that done in his own time.

XI. **Articuli super chartas**, 18. 28. E. 1. An action of waste is maintainable against Escheators and Sub-escheators, for waste by them committed in Wards lands.

XII. **Stat.** 11 H. 6. 5. An Action of Waste is maintainable by the reversioner against tenant for life, or years that first aliens his estate to a stranger, and afterwards (still receiving the profits thereof) commits waste: Howbeit this Statute shall not extend to such tenants as hold without impeachment of waste.

Watches.

I. Stat. 5. H. 4. 3. Watches shall be kept upon the Sea-coasts, as they were wont to be; and in that case, the Statute of *Winchester* shall be observed; *which see in Robberie.*

II. In every Commission of Peace, hereafter to be made, this article shall be inserted, *viz.* that the Justices of Peace shall have power in their sessions to enquire of Watches, and to punish them, who shall be found in default, according to the tenor of the said Statute.

Wax.

I. Stat. 11. H. 6. 12. No Wax-chandler shall sell or put to sale any Candles or other Wares made of Wax at a deerer rate, then that he may have only 4 *d.* in every pound of wares above the common price of plain wax, in pain to forfeit all such wares put to sale, and the value of them sold, and besides to make fine to the King.

II. Justices of Peace, Majors, Bailiffs, and Stewards of Franchises, have power to examine and search concerning the breach of this Law, and also to hear and determine the offences committed against it.

III. Stat. 23. El. 8. None in mingling or making of wax, shall use or cause to be used any deceit by mixture and mingling the same with Rosin, Tallow, Turpentine, or other deceitful thing, to the intent to sell it, or to put it to sale, in pain to forfeit the same: And if such deceitful wax happen to be sold before it be discovered, the melter or procurer thereof, shall forfeit for every pound thereof 2 *s.* to be divided betwixt the Queen and the party deceived, if he will sue, but if not, then the prosecutor.

IV. Every melter and maker up of unwrought wax, shall have a stamp or mark of the breadth of 6 *d.* wherein the two letters of his name and fir-name shall be graven, and with this shall stamp every such piece of wax triangularly in three places upon the out-side of every such piece, in pain to forfeit the value of every piece so sold or put to sale not so stamped.

V. None shall melt, mix, work, sell, or put to sale, any wrought wax, stufte, or wares wrought with wax, but with good and pure stuff, fit for such work, and sealed with the workers stamp, to the end he may be known; in pain to forfeit all corrupt wares otherwise

wise wrought, and so sold or put to sale, to be divided as aforesaid.

VI. None shall sell or put to sale any false mingled wax; in pain to forfeit the same, to be divided as before.

VII. All Caske filled with honey, shall be by the filler thereof marked with two letters, standing for his name and fir-name (each letter being an inch and an halfe in length, at least, and burnt upon the head of each Caske with an hot iron; in pain to forfeit 6s. 8d. for every Caske of honey sold or put to sale, and not so marked.

VIII. None shall fill, sell, or put to sale, any Cask of honey for a Barrel, Kildetkin, or Firking, unless they contain as followeth, viz. the Barrel 32 gallons wine-measure, the Kilderkin 16, and the Firkin 8; in pain to forfeit for every half gallon so lacking 5 s. together with the Cask and Honey therein contained, to be divided, as before.

IX. This Act, as to the marking of wax, shall not extend to any, selling the wax of their own Bees in open Markets, nor to any servant mingling or corrupting wax by the commandement of his Master, so as he will confesse the same.

X. None shall counterfeit another mark, nor stamp therewith without the Owners consent, in pain to forfeit for every such offence 5 s. to be divided, as before; And in case he be not able to pay it, to be set upon the Pillory in the next Market-towne to the place, where he offends, and to suffer 3 moneths imprisonment without bail.

Weares.

I. Magn. chart. 23. 9. H. 3. All weares shall be put down by *Thames* and *Medway*, and throughout all *England*, save onely by the Sea-coasts.

II. Stat. de Pannis, 4. 25. E. 3. All Gorges, Milles Weares, Stankes, Stakes, and Kiddles set up in the time of E. 1. and since, whereby Ships and Boats are disturbed to passe in Rivers, as they were wont, shall be utterly pulled downe, never to be renewed: And hereupon writs shall issue to the Sheriffes of the places, where need shall require, to survey, and inquire, and thereof to do execution; Justices also shall be thereupon assigned, as shall be needfull.

III. Stat. 45, E. 3. 2. The Statute of Cloth; 4. 25. E. 3. shall be put in due execution, and if any such annoyance be done, it shall be pulled down by due process, according to the said Statute.

IV. If any shall repair any such annoyance, and be thereof arraigned, he shall incur the paine of 100 markes to the King, to be

be levied by estreats of the Exchequer : The like law shall be for annoyances made by enchauncing such Weares, Mills, Stankes, Stakes, and Kiddles, as by the new levying of them.

V. Stat. 1. H. 4. 12. The said Statute of 25. E. 3. 4. and 45. E. 2. shall be put in due execution.

VI. Commissions shall be made to sufficient men to be Justices in every County, where need shall be; to survey and keep the waters and great rivers, there to correct the defaults, and to put the said Statutes in due execution, as well by their survey, advice, and discretion, as by enquests, both within Franchises and without, as need shall be, and to hear, and determine the things aforesaid : Also to survey the Weares, Milles, Stankes, Stakes, and Kiddles, levied before the time of E. 1. and to correct, pull down, and amend such of them, as they shall finde too much enchaunced as straightened, saving alwayes a reasonable substance thereof.

VII. If any such nufances be adjudged and awarded by the said Justices fit to be pulled down and amended, the owner of the freehold thereof shall make thereof execution at his owne charge within half a year after notice thereof given to him, in pain of 100 Marks to be paid to the King by estreats of the Exchequer : And he that shall cause them to be repaired, enhaunced, or straightened against the said judgement (being thereof convict) shall also incur the pain of 100 Marks, to be paid, as aforesaid : Howbeit, if any shall finde himselfe grieved by the execution of this Act, upon complaint he shall be relieved.

VIII. Stat. 4. H. 4. 11. The Statutes of 25. E. 3. 4. 45. E. 2. and 1. H. 4. 12. shall be duely put in execution.

IX. Commissions shall be awarded to certaine Justices and others in every County ; where need shall be, to inquire of offenders against the said Statutes, and to punish them by fine at their discretions ; saving to the King the penalties comprised in the said Statutes.

X. The estreats of such fines shall be delivered by the Justices to the Sheriff by indenture, who shall there out pay to every Justice 4 s. for every day, that he shall execute such Commission, and the Sheriffe is to be allowed it againe upon his accompt in the Exchequer.

XI. Stat. 1. H. 5. 2. All the aforesaid Statutes are confirmed and ordered to be put in due execution.

XII. Stat. 12. E. 4. 7. All the said Statutes are againe confirmed : And where by award of any of the said Commissioners assigned (according to the said Statute of 1. H. 4. 12.) it is found, that

that such Weares, Fish-garthes, Milles, Mildams, Millstankes, Lockes, Ebbing-weares, Keddles, Heckes, or Flood-gates, are made Levied, Raised, Straightned, or enlarged against the said Statute, if the offenders therein, being duely warned thereof by the Sheriffe (by *Scire facias*) do not within three moneths after such warning, duely return such default, they shall forfeit 100 marks, to be paid, as by the said Statute is ordained, and also for every moneth (after the said 3 moneths) that the said default is not reformed, 100 markes more, to be divided betwixt the King and the prosecutor; The heir also or the assignee of such offender, shall likewise forfeit 100 markes for every moneths, that he continues such disturbances, to be divided, as aforesaid.

V Veights and Measures.

I. *Magna carta*, 25. 9. H. 3. One measure of Wine shall be throughout the Realm, one measure of Ale, and one measure of Corne, *viz.* the quarter of *London*, and one breadth of dyed cloth, Ruffet, and Habergeets, *viz.* two yards within the lists; and it shall be of weights, as it is of measures.

II. *Missa Pantis & Cervicie* 51. H. 3. By this Statute the Assize of Bread was rated, *viz.* when a quarter of Wheat should be sold for 12 *d.* wastel bread of a farthing (a kind of bread then in use) should weigh 6 pounds 16 shillings, *viz.* 6 pounds 9 ounces and 12 pennay weight, according to Troy-weight; For at that time a pound of silver (by Troy-weight) was a pound Sterling, or 20 shillings, and a penny now, was three pence then; And so it continued, untill H. 6. raised the ounce of Silver (which was before but 20 pence) to 30 pence, and after that the old penny was valued at three halfe pence; After wards, E. 4. raised it to 40 pence; then H. 8. to 45 pence and last of all Qu. El. to 5 shillings, at which rate it yet stands; And all this was done by the said Kings and Queenes Proclamations, according to the exigencies of affaires in the Common-wealth at the times, when it was so altered.

III. According to the proportion ordeined by this Statute, the ensuing Table is framed for the due Assize of Bread now in use.

A Table of the Assize of Bread

according to Troy-weight, having twelve Ounces in a Pound, and twenty Penny-weight in each of those twelve Ounces.

Price of wheat.		Penny white.			Penny wheaten.			Penny Household.		
s.	d.	l.	oun.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
19	6	I	5	7	2	2	0	2	10	19
20	0	I	4	18	2	I	6	2	9	16
20	6	I	4	10	2	0	14	2	9	0
21	0	I	4	2	2	0	2	2	8	4
21	6	I	3	14	I	II	12	2	7	8
22	0	I	3	6	I	II	0	2	6	12
22	6	I	3	0	I	10	10	2	6	0
23	0	I	2	4	I	10	0	2	5	8
23	6	I	2	8	I	9	12	2	4	16
24	0	I	2	2	I	9	2	2	4	4
24	6	I	I	16	I	8	13	2	3	12
25	0	I	I	10	I	8	6	2	3	0
25	6	I	I	5	I	7	18	2	2	10
26	0	I	I	0	I	7	10	2	2	0
26	6	I	0	15	I	7	3	2	I	10
27	0	I	0	10	I	6	16	2	I	I
27	6	I	0	6	I	6	8	2	0	12
28	0	I	0	I	I	6	0	2	0	2
28	6	0	II	17	I	5	15	I	II	14
29	0	0	II	13	I	5	10	I	II	6
29	6	0	II	9	I	5	4	I	10	17
30	0	0	II	5	I	4	18	I	16	10

Price of wheat.		Penny-white.			wheaten			Household.		
s.	d.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
30	6	0	11	1	1	4	12	1	10	2
31	0	0	10	18	1	4	6	1	9	16
31	6	0	10	14	1	4	1	1	9	8
32	0	0	10	11	1	3	16	1	9	2
32	6	0	10	8	1	3	12	1	8	16
33	0	0	10	5	1	3	6	1	8	10
33	6	0	10	3	1	3	0	1	8	4
34	0	0	9	19	1	2	15	1	7	18
34	6	0	9	16	1	2	12	1	7	12
35	0	0	9	13	1	2	8	1	7	6
35	6	0	9	10	1	2	4	1	7	0
36	0	0	9	8	1	2	1	1	6	16
36	6	0	9	5	1	1	18	1	6	10
37	0	0	9	2	1	1	14	1	6	4
37	6	0	9	0	1	1	10	1	6	0
38	0	0	8	18	1	1	7	1	5	16
38	6	0	8	15	1	1	4	1	5	11
39	0	0	8	13	1	1	0	1	5	6
39	6	0	8	11	1	0	16	1	5	2
40	0	0	8	9	1	0	12	1	4	18
40	6	0	8	7	1	0	9	1	4	14
41	0	0	8	5	1	0	6	1	4	10
41	6	0	8	3	1	0	3	1	4	6
42	0	0	8	1	1	0	0	1	4	2
42	6	0	7	19	0	11	18	1	3	18
43	0	0	7	17	0	11	16	1	3	14
43	6	0	7	15	0	11	13	1	3	10
44	0	0	7	13	0	11	10	1	3	6
44	6	0	7	12	0	11	6	1	3	3
45	0	0	7	10	0	11	4	1	3	0
45	6	0	7	8	0	11	2	1	2	17

Price of wheat.		Penny white.			wheaten.			Household.		
s.	d.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
46	0	0	7	6	0	11	0	1	2	14
46	6	0	7	5	0	10	18	1	2	10
47	0	0	7	4	0	10	16	1	2	7
47	6	0	7	3	0	10	13	1	2	4
48	0	0	7	1	0	10	10	1	2	1
48	6	0	6	19	0	10	8	1	1	18
49	0	0	6	17	0	10	6	1	1	16
49	6	0	6	16	0	10	4	1	1	13
50	0	0	6	15	0	10	2	1	1	10
50	6	0	6	14	0	10	0	1	1	7
51	0	0	6	12	0	9	18	1	1	4
51	6	0	6	11	0	9	16	1	1	2
52	0	0	6	10	0	9	14	1	1	0
52	6	0	6	8	0	9	12	1	1	17
53	0	0	6	7	0	9	10	1	0	14
53	6	0	6	6	0	9	8	1	0	12
54	0	0	6	5	0	9	6	1	0	10
54	6	0	6	4	0	9	5	1	0	8
55	0	0	6	3	0	9	4	1	0	6
55	6	0	6	1	0	9	2	1	0	3
56	0	0	6	0	0	9	0	1	0	0
56	6	0	5	19	0	8	18	0	11	18
57	0	0	5	18	0	8	17	0	11	16
57	6	0	5	17	0	8	15	0	11	14
58	0	0	5	16	0	8	14	0	11	11
58	6	0	5	14	0	8	13	0	11	9
59	0	0	5	13	0	8	12	0	11	6
59	6	0	5	12	0	8	10	0	11	4
60	0	0	5	11	0	8	8	0	11	2
60	6	0	5	10	0	8	6	0	11	1

IV. According to the abovesaid rate (*at the time when this Statute was made*) a Baker in a Quarter of wheat (as was then proved by the Kings Bakers) might gain 4 d. and the bran, two loaves for advantage, for three servants 1 d. ob. for two lads, ob. for salt, ob. for kneading, ob. for candle qu. for wood 3 d. and for his boultel, ob. in toto, 12 d. ob. qu. which being trebled, (*according to the rate of money now*) amounts to 3 s. 2 d. qu. and may therefore be now conceived fit for the Baker to gain in the uttering of every quarter of wheat: Howbeit note, that (by the Book of Assize now in use, published by proclamation towards the latter end of the Reign of Queen Elizabeth) Bakers inhabiting Corporate Towns in (regard they pay Scot and Lot there) are allowed 6 s. in every quarter of the middle-priced wheat for their charge in baking; and Countrey or Forreign-Bakers onely 4 s. For Example. when the middle-price of wheat is 30 s. the quarter, for assize of Town-Bakers you are to finde in the aforegoing Table the assize of bread answering to 36 s. but for the assize of Forreign-Bakers that of 34 s. And therefore (in that case) the penny wite loaf put to sale by Town-Bakers ought to weigh nine ounces, eight penny-weight; but that uttered by Forreign-Bakers nine ounces, nineteen penny-weight, as appears in the Table.

V. When a quarter of wheat is sold for 3 s. or 3 s. 4 d. and barley for 20 d. or 2 s. and oats for 16 d. the quarter, Brewers in Cities may afford to sell two gallons of beer or ale for 1 d. and out of Cities three gallons for 1 d. and when in a Town three gallons may be sold for 1 d. out of a Town four gallons may be afforded: And this Assize shall be observed throughout all England.

VI. The Assize of Bread shall be rated according to the middle price of wheat, and shall not be changed but by 6 d. increasing or decreasing in the sale of a quarter.

VII. *Stat. de ponderibus & mensuris.* An English peny sterling (being now three pence) shall weigh 32 grains of wheat taken out of the middle of the Ear, and 20 pence do make an ounce 12 ounces a pound, 8 pounds a gallon, 8 gallons a London-bushel, which is the eighth part of a quarter. *Stat. 31.E.1. See Rastal, weights 7, 8.*

VIII. *Stat. of Pillory and Tumbrel, 51: H 3.* If a Baker or Brewer be convicted not to have observed the Assize; for the first, second, and third fault, he shall be amerced, except the offence be grievous and often, and then shall the Baker to the Pillory, and the Brewer to the Tumbrel, or some other Correction.

IX. Six men shall be sworne truly to gather all the measures and weights of the Town, and of mills, and upon the measures and weights, as also upon every loaf shall the name of the owner be

be distinctly written: After this, twelve lawfull men shall be sworn to make true answer on the Kings behalf upon Articles hereafter following: and the Bailiff shall be commanded to bring the Bakers and Brewers with their measures, and all things underwritten.

X. Then first the Jury shall enquire the first, second, and third prices of wheat sold the last market-day; and also how barley and oats; and upon how much increase or decrease of the price of wheat, the Baker ought to change the Assize of his Bread, and how much it ought to weigh, according to the present price of wheat; and whether the Town have a Pillory of convenient strength.

XI. Again, they shall inquire of the Assize and price of wine, and the Vintners names, and how they sell, and whether they utter that which is wholesome for mans body: also of the Assize of ale in the Court of the Town, how it is and whether it be observed; and if the Brewers be found to have sold contrary to the Assize, they shall be amerced or else judged to the Tumbrel.

XII. They shall inquire likewise of such as use double or false weights or measures, of Butchers and Cooks that sell unwholsome meat; and of fore-stallers, which buy any thing before the accustomed time of market.

XIII. *Stat. de pistoribus*, 31. E. 1. The assize or weight of wheat shall never be changed, but when there is six pence increasing or decreasing in the price of a quarter.

XIV. If a Bakers bread be found a farthing weight lacking in two shillings six pence, or under, he shall be amerced; and if it pass the same number, he shall suffer the punishment of the Pillory which shall not be remitted for gold or silver: and every Baker shall have a mark of his own for bread.

XV. *According to which proportion, it seems, that if a Bakers bread wants not a penny-weight in six ounces, he shall not incur a-merciamment.*

XVI. Every Pillory or Stretch-neck must be made of convenient strength, for that execution may be done upon offenders without peril of their bodies.

XVII. The toll of a mill shall be taken according to custome and the strength of the water, either to the 20 or 26 corn; also by a measure agreeable to the Kings Standard, and by the race and not by heap or cantel; and if the Farmers finde the Millers their necessities, they shall take nothing besides their due toll, in pain to be grievously amerced,

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XVIII. The

XVIII. The assize of Ale shall be assessed, proclaimed, and kept, according to the price of corne, whereof Malt is made; and the brewer shall not increase more in a gallon, but according to the rate of six pence rising or falling in a quarter of malt: and if he break the assize, for the first, second, and third time he shall be amerced, but for the fourth he shall incur the Pillory.

XIX. A Butcher that sells Swines flesh mezled, or dead of the murrin, shall for the first time be amerced, for the second incur the Pillory; for the third be imprisoned, and make fine; and for the fourth shall forbear the Town: and in this manner shall it be done to all that offend in like case.

XX. The Standard of Bushels, Gallons, and Els shall be signed with an Iron Seal of the Kings; and no measure shall be in any Town, unless it do agree with the Kings measure, and be marked with the seal of the Shire-town.

XXI. If any do sell or buy with measures unsealed and not examined by the Major and Bailiffs, he shall be grievously amerced.

XXII. All measures shall be viewed twice every year; and if any be convict of a double measure, he shall be imprisoned and grievously punished.

XXIII. The Standard bushels and els shall be in the custody of the Major and Bailiffs, and of six lawful persons of the Town being sworn, before whom all measures shall be sealed; and no grain shall be sold by the heap or cantel, except it be oats, malt, and meal.

XXIV. No Fore-staller shall be suffered to dwell in any Town, and if any shall be convict of that offence, for the first time he shall be amerced, and lose the thing so bought; for the second shall have judgement of the Pillory; for the third shall be imprisoned and make fine; and for the fourth shall abjure the Town: and like judgement also shall be given also his accessaries.

XXV. *An Ordinance for measuring of land, 34. E. 1. See the Statute at large.*

XXVI. Stat. 14. E. 3. 12. There shall be one weight and one measure through the Realm of England; and the Treasurer shall cause to be made certain Standards of bushels, gallons, and weights of brasse, and shall send them into every County where such Standards are not already sent: and thereupon shall be assigned two sufficient persons in every County (or more, if need be,) to survey the weights

weights and measures, according to the Standard, who shall have power to hear, determine, and punish all those that shall be thereof found guilty, and to command the Sheriff to imprison them, till they shall make fine to the King.

XXVII. The said officers shall every year, the next day after the Feast of Saint *Michael*, deliver their estreats into the Exchequer, and take for their expences a fourth part of that they can levis, and shall answer the King the other three parts, and the fourth part also of that they cannot levy, shall be answered them in the Exchequer, and the other three parts shall be levied for the Kings use.

XXVIII. Stat. 25. E. 3. 9. Auncel weight shall be quite put out, and weighing shall be by equal balance, Stat. 34. E. 3. 5.

XXIX. Stat. 25. E. 3. 10. Every measure shall be according to the Kings Standard, and shall be striked without heap, saving the rents of Lords: and the King will assign certain Justices in every County to inquire, hear, and determine upon the points aforesaid, and to inflict punishment according to the trespassse.

XXX. Statutum Stapulz, 27. E. 3. 10. There shall be one weight and one measure, and none shall use any deceit in weighing commodities by an uneven tongue of the balance, or by putting hand, foot, or other touch, in pain to forfeit the value of the commodities so weighed, to suffer one years imprisonment, and to be ransomed at the Kings will; and the party grieved shall recover quadruple damages.

XXXI. There shall be Justices assigned to enquire of such trespassses, and to do right as well at the Kings suit, as at the suit of the party.

XXXII. Stat. 13. R. 2. 9. There shall be one weight and measure throughout *England*, and he that shall be convicted to have used any other, shall suffer six moneths imprisonment, and yield double damages to the party grieved: except in *Lancashire*.

XXXIII. Stat. 15. R. 2. 4. Eight bushels of corn striked shall be accounted a quarter, as well by Water as by Land; and none shall buy otherwise, in paine to forfeit the corne or malt bought.

XXXIV. Stat. 16. R. 2. 3. All weights and measures shall be according to the Standard of the Exchequer: And the Clerk of the market shall have all his weights and measures ready, together with marks of the Exchequer, and shall carry and bring them with him, when he makes essay of weights and measures: neither shall

he nor any other use any other, upon the pains ordained by former Statutes.

XXXV. Stat. 1. H. 5. 10. No Purveyor of the King, nor any other shall buy or take any corne by any other measure, then 8 bushels striked for the quarter, and payment shall be made in hand for the carriage.

XXXVI. If any Purveyor offend herein he shall incurre a years imprisonment, and forfeit 5 *l.* to the King, and as much to the party grieved: And nothing shall be taken for the measuring of Corn.

XXXVII. Justices of Peace have power to heare and determine these offences.

XXXVIII. Stat. 2. H. 6. 11. The Tun of wine shall contein 252 gallons English measure, the Pipe, 126 gallons, the Barrel of Herrings or Eccles shall contein 30 gallons, the But of Salmon 84 gallons; and so of other lesser measure after the same rate.

XXXIX. None shall import or make any vessel contrary to this Act, in pain to forfeit the commodities therein conteined to the Lord of the Town, where they are found, whereof the Prosecutor shall have the fourth part.

XL. Justices of Peace and Majors, and Bailiffs, (having power to inquire of the Peace) have power to hear and determine these offences.

XLI. Stat. 8. H. 6. 5. Every City, Borough and Town within England shall have a common Balance, with common weight scaled, and according to the Standard of the Exchequer upon the common costs of the said City, Borough or Town in the keeping of the head-officer or Constable there, in pain that the Citie for such default shall forfeit 10 *l.* to the King, the Borough 5 *l.* and every other town 40 *s.*

XLII. At this balance all the inhabitants may weigh *gratis*, but a forreigner shall for every draught under 40 *l.* pay a farthing, for a draught betwixt 40 *l.* and an hundred an half peny: and for a draught betwixt an hundred and a thousand a penny: whereof the weights shall be mainteined, and the officers which attend that service rewarded at the discretion of the said inhabitants.

XLIII. Justices of Peace, Majors, Bailiffs, and Stewards, of Franchises have power to heare and determine these offences.

XLIV. Stat. 9. H. 6. 6. The Burgeses of Dorchester shall not be disturbed by the Statute of 8. H. 6. 5. to use their weighing within 12. miles compass of that Town; So as they use such weights, as in the said Statute are expressed.

XLV. Stat. 9. H. 6. 8. A weigh of Cheese shall containe 32 cloves, and every clove seven pound.

XLVI. Stat. 11. H. 6. 8. The Stat. of 1. H. 5. 10. and 8. H. 6. 5. shall be duely put in execution.

XLVII. In everie Citie, Borough and Town there shall be a common bushell sealed, and according to the Standard, in like manner and paine as in the said Stat. of 8. H. 6. 5. is specified for a common balance.

XLVIII. All Justices of Peace, Majors and Head-officers shall have power to heare and determine the offences committed against the said Statutes by examination or inquisition, and as well at the suit of the King, as of the partie grieved.

XLIX. The Major of *London*, and all other Majors and Bailiffes on their oaths shall be charged to keepe and execute all the said Statutes, and shall be accountable in the Exchequer for all profits and forfeitures which shall grow due thereupon to the King.

L. Stat. 1. R. 3. 13. The contents of every vessel of wine and Oil, and they shall not be sold, until they be gauged by an officer to be appointed by the King for that purpose: The measures are these, a Tun of wine 252 gallons. A Pipe 126. A Tertian 84. A Hoghead 63. A Barrel 31 and a half, and a Runlet 18. and an half.

LI. Stat. 7. H. 7. 4. (*Or according to Rastall, Cap. 3.*) measures and weights of brasse shall be sent to every Citie and Borough, there to be kept as their treasure, according to which all measures and weights in every County shall be reformed.

LII. The Major or chief Officer of every such place shall have a speciall marke wherewith he shall seal the said measures and weights; And shall take for sealing of a Bushel a penny, and of every other measure an halfe penny; For an hundred weight a penny, for halfe an hundred an half penny; And for every lesser weigh a farthing.

LIII. If he refuseth or delayeth to seale them, or doth any thing contrary to this Act, he shall forfeit 40 s. to be divided betwixt the King and the party grieved, and to be recovered by action of debt, wherein no wager of law shall be admitted.

LIV. Justices of Peace have power to hear and determine the said defaults.

LV. Stat. 11. H. 7. 4. Measures and Weights of brasse shall be sent to Cities and Boroughs there especially named.

LVI. Oncly Cities, Boroughs, and Marker-towns shall be enjoined

joyned to have common balances, weights and measures, and all other Towns shall be excused, notwithstanding the *Statutes* of 8. H. 3. 6. and 11. H. 6. 8. above mentioned.

L VII. The Majors and chiefe officers of the said Cities, Boroughs and Market-towns which shall have delivered unto them such weights and measures sealed with the letter H. crowned, (*or with the first letter of the name of the King of England for the time being*) shall have authority and power to signe like weights and measures unto any of the Kings subjects (duely requiring the same) taking for the marking of every bushel onely one penny.

L VIII. None shall buy or sell with any other weights or measures in any Citie, Burrough, or Market-town, but such as are so marked, nor in any other place, with a bushel, which is not so marked.

L IX. Majors and chief officers, shall at least once every year view all measures and weights within their Jurisdictions, and break or burne them which they find defective, and also inflict punishment upon the offenders; *viz.* for the first offence 6 s. 8 d. for the second 13 s. 4 d. and for the third 20 s. and besides adjudge them to the Pillory.

L X. Two Justices of Peace (one *Quorum*) have authority as well by examination as inquiry, to heare and determine the defaults of Majors, and other head-officers; and also of buyers and sellers contrary to this Act, and to set fines and amerciaments upon the offenders at their discretion: and the defective weights and measures are to be forfeited and burnt.

L XI. Eight Bushels of corn raised and stricken shall be accounted a quarter, 14 l. a stone of wooll, and 26 stone a sack: Howbeit this Act shall not extend to any person selling or buying by water-measure within Ship-board, whereof every bushel shall contain five pecks raised and stricken.

L XII. Within the Cinque Ports the Lord Warden or his Lieutenant shall order the weights and measures.

L XIII. Stat. 12. H. 7. 5. A Bushell shall conteine 8 gallons of wheat; and every gallon 8 pounds of wheat, Troy-weight, and every pound 12 ounces; and every ounce 20 Sterlings, (*or penny weights*) every Sterling shall weigh 32 graines of wheat, that grew in the middest of the eare of wheat, And a Standard for the Kings Treasury is to be made according to this Assizes.

L XIV. Whereas there weights and measures, set down to Cities and Boroughs last year by the Stat. of 11. H. 7. 4. were found defective, others more perfect shall be sent thither, at the charge of the

the said Cities and Townes ; according to which all other weights and measures shall be regulated, upon the paines in the said Statute contained.

L X V. Stat. 28. H. 8. 14. *in fine*. The Statute of 1. R. 3. 13. and all other Statutes made for the due gauging & measuring of Wine, Oil, Honey, and other Liquors, shall be duly put in execution.

L X V I. Every Gauger shall duly gauge all the said Vessels, and mark upon the head of each of them the true content thereof, in pain to forfeit to the buyer thereof the quadruple value of that it wants, besides costs of suit: The Merchant also shall recompence the buyer what it wants, according to the value of the Vessel bought, in pain to forfeit to the buyer the double value of such Vessel sold, together with costs of suits.

White Ashes.

I. Stat. 7. 3. E. 6. 26. None shall ship, lade, carry, or convey any White Ashes towards the parts beyond sea, in pain to forfeit for every Bushel 6 s. 8 d. to be divided betwixt the King and the prosecutor.

Whitegate.

I. Stat. 23. H. 8. 32. The Church of *whitegate* in *Cheshire* shall be a Parish-Church, and no part of the Parish of *Over*.

Wild-fowle.

I. Stat. 25. H. 8. 11. None shall destroy or take away the eggs of any Wilde-fowl, in pain to forfeit for every egg of a Crane or Bustard so taken or destroyed, 20 d. of a Bittern, Hern or Shovelard, 8 d. and of a Mallard, Teal, or other Wilde-fowl, 1 d. to be divided betwixt the King & the prosecutor: And here Justices of Peace have power to enquire, hear, and determine offences of this kinde, as they use to do in cases of trespass.

Wils.

I. **Merton, 2. 20. H. 3.** Widows may bequeath the crop of their ground, as well of their dowers as other lands saving to the Lords of the Fee all such services as be due for their dowers other tenements.

II. **Stat. 32. H. 8. 1.** Every person having Mannors, Lands, Tenements, or Hereditaments, holden in soccage, or of the nature of soccage-tenure, and not having any such mannors, lands, &c. holden of the King by Knight-service, soccage, tenure in chief, or of the nature of soccage-tenure in chief, nor of any other person by Knight-service, shall have power to give, dispose, will, and devise, as well by his last will and testament, in writing, or otherwise by any act executed in his life, all such Mannors, Lands, &c. at his pleasure.

III. Every person having Mannors, lands, &c. holden of the King in soccage, or of the nature of soccage in chief, and having any other Mannors, Lands, &c. holden of any other person in soccage, or of the nature of soccage, and not having any Mannors, lands, &c. holden of the King or any other by Knight-service, shall have power to give, will, dispose, and devise, as well by his last will and testament in writing, as otherwise by any act executed in his life, all such Mannors, Lands, &c. or any of them at his pleasure.

IV. Howbeit, all such *primer seisin*s, reliefs, fines for alienation, and all other rights and duties for tenures in soccage, or in the nature of soccage in chief, as have bin heretofore used, are saved to the King, and the said Mannors, Lands, &c. are to be taken, had, and sued out of the Kings hands by the person or persons, to whom they shall be so disposed, willed, or devised, in like manner as hath been used by any heir or heirs, before the making of this Statute.

V. Every person having mannors, Lands, &c. of estate in inheritance, holden of the King in chief, by Knight-service, or of the nature of Knight-service in chief, hath power by his last will in writing or by any other Act executed in his life, to give, dispose, will or assigne two parts thereof in three parts to be divided, or else so much thereof as shall amount to the yearly value of two parts thereof in three parts to be divided in certainty, and by special divisions, that it may be known in severalty, for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his pleasure.

VI. Here also the custody, wardship, and *primer seisa*, or any of them,

them, as the case shall require, of as much of such manners, lands, &c. as shall amount to the clear yearly value of the third part thereof: As also all Fines for alienation, upon such alteration of the Freehold or inheritance, are saved to the King.

VII. Every person having manners, lands, &c. of estate of inheritance, holden of the King in chief by Knight-service, and having other manners, lands, &c. holden of the King or any other by Knight-service or otherwise, hath power to give, dispose, will, or assigne, by will in writing, or otherwise by Act executed in his life, two parts thereof in three parts to be divided, or so much thereof as shall amount to the yearly value of two parts thereof, to be severed as aforesaid, for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his pleasure.

VIII. Here likewise the custody, Wardships, *primer seisin*, and fines for alienations are saved to the King, as before.

IX. Every person having manners, lands, &c. of estate of inheritance, holden of any other Lord by Knight-service, and other lands in Soccage, or of the nature of Soccage, may give, dispose, or assure by will or otherwise by Act executed in his life, two parts of the Knight-service land, or so much thereof, as shall amount to the yearly value of two parts as aforesaid; and also all the soccage-land at his pleasure: saving to such Lord (for his custody and wardship) so much of the Knight-service land, as shall amount to the yearly value of the third part thereof.

X. Every person having manners, lands, &c. holden of the King by Knight-service, and not in chief, or any manners, lands, &c. holden of the King by Knight-service, and not in chief, and other manners lands, &c. holden of any other person by Knight-service, and also other manners, lands, &c. holden of any other person in soccage, or in the nature of soccage, may give, dispose, will, devise, and assure, by his last will, or otherwise by act executed in his life, two parts of the said Knight-service land, or so much thereof, as shall amount to two parts of the yearly value thereof, as aforesaid, and all the soccage-land, at his will and pleasure: Howbeit, here also the Custody and wardship of so much of the said Knight-service manners, lands, &c. as shall amount to the yearly value of the third part thereof, are saved to the King, and other Lords respectively; and if the King or other Lord have not (in this case) a full third part set out for them, they may (respectively) take in to their possession so much of the other two parts, as will make it a full third part.

XI. Provided, that all persons shall sue liveries for possessions, rever-

reversions, or remainders, and pay reliefs and heriots, as they did before the making of this Act.

XII. Fines for alienations shall be paid in Chancery upon writs of entry in the *Post* for common recoveries suffered of any manors, lands, &c. holden of the King in chief, in like manner, as upon alienations of such manors, lands, &c. by fine or feoffment: Howbeit no other fine shall be paid therefor any such writs, but only such fines for alienation.

XIII. Where two or more hold any manors, lands, &c. of the King by Knight-service, jointly to them, and the heirs of one of them, and he that hath the inheritance dieth, his heir being within age, the King shall have the ward and marriage of such heir, the life of the freeholder or freeholders notwithstanding: saving to every woman her interest of dower in such lands to be assigned out of the two parts thereof, severed from the third part, as abovesaid, and not otherwise, and saving also the King the reversions of all such tenants by joint tenure and dower, after the death of such tenants, in case they happen to die during the nonage of the King's ward.

XIV. Stat. 34.35.H.8.5. Where the Statute of 32.H.8.1. mentioneth manors, lands, &c. of inheritance, it shall be expounded and taken of estates in fee-simple.

XV. Every person having a sole estate in fee-simple, or seized in co-parcenary, or in common in fee-simple, in any manors, lands, tenements, rents, or other hereditaments in possession, reversion, or remainder, and having no manors, lands, &c. holden of the King, or of any other by Knight-service, may give, dispose, will, or devise to any person or persons (except bodies politique and corporate) by his last will and testament in writing, or by Act executed in his life, by himself solely, or by himself and others jointly, severally, or particularly, or by all those wayes, or any of them, as much as in him of right is, all his said manors, lands, tenements, rents, and hereditaments, or any of them, or any rents, commons, or other profits out of the same, or any parcel thereof, at his free will and pleasure.

XVI. Every person having such an estate, or seized, as aforesaid, of or in any manors, lands, rents, &c. in possession, reversion, or remainder, or of or in any rents or services incident to any reversion, or remainder holden of the King by Knight-service in chief, or of the nature of Knight-service in chief, may give, dispose, will, or assign to any person or persons (except bodies politique and corporate) by his last will and testament in writing, or by

by any Act executed in his life, by himselfe solely, or by himself and others joyntly, severally, or particularly, or by all these wayes or any of them (as much as in him of right is) two parts, as well of all the said mannors, lands: &c. as of all other rents, and hereditaments or of any of them, or any rents, commons, profits, or commodities out of, or to be perceived of the same two parts, or out of any parcel thereof, in three parts to be divided, or as much thereof, as shall amount to the yearly value of two parts thereof, in three parts to be divided (of what person or persons soever they be holden) at his free will and pleasure.

XVII. Such will so declared shall be good for two parts of the said mannors, lands, &c. although it be made of the whole, or more then the two parts thereof: the said division to be made by the divisor, or owner of the said mannors, lands, &c. by will in writing or otherwise in writing; and in default thereof by commission out of the Court of Wards upon inquirie of the true value thereof, by the oaths of twelve men; and upon return thereof in the same Court, the division shall be made by the Master of the Wards, if the said master and parties cannot otherwise agree upon the division: and the issues and profits of the two parts shall be restored to them that shall have right thereunto, from the death of the owner or divisor.

XVIII. Every person being seised solely, in co-parcenary, or in common, as aforesaid, of any mannors, lands, rents, &c. in possession, reversion or remainder, or of any rents or services incident to any reversion or remainder, holden of the King by Knight-service, and not in chief, or of any other person by Knight-service, may give, dispose, will, or devise to any person, (except bodies politique) by his last will and testament in writing, or by Act, executed in his life, solely or joyntly, as aforesaid, two parts thereof, or any rents, common, or profits, to be perceived out of the same two parts, or out of any part thereof, &c. And such will shall be good for such two parts, albeit it be made of the whole lands, so holden, or of more then the said two parts; and shall also be good for all lands not holden in Knight-service, and for all rents, commons, and other profits, to be perceived out of the same.

XIX. Here also, the division of the third part is to be made, as before, where it concerns the Kings Interest, but where it concerns other Lords, the division shall be by commission out of the Chancery, if such Lords and the parties in the mean time cannot agree thereupon.

XX. The savings (in this Act, and in that of 32. H. 8. l.) of custody

stody, wardship, relief, and *primer seisin* to the King, and of custody and wardship to other Lords, shall be expounded *thus* : That the King shall have for his full third part such mannors, lands, and tenements, as shall descend, as well in fee-tail, as in fee-simple, to the heir of the person, that made such will or disposition, as aforesaid; and that the will or gift of the two parts shall be good in law, albeit the will or gift be made of all the fee-simple lands, or the more part thereof : Howbeit if the King have not a full third part left him, he shall take out of the two parts so much as shall make it up, to be severed by commission, as aforesaid ; and such advantage also is given to other Lords for their third parts ; and the like shall both the King and they do, in case their third parts, or any parcell of them be evicted from them or determined.

XXI A pardon of alienation must be sued by those to whom lands are devised, for which they shall pay a third part of the value of the lands, holden in chief ; and this Act shall be sufficient warrant for the Lord Chancellor to grant such pardons under the Great Seal, without further suit to be made to the King for the same.

XXII. Wils or Testaments of mannors, lands, &c. made by *femes covert*, Infants, idiots, or persons of *non sane* memory, shall not be good in law.

XXIII. If any person or persons shall (by will or act executed) make any estate for years, life, or lives, with one remainder over in fee, or with divers remainder over for term of life, years, or entail, with a remainder over in fee-simple, or any other estates, conditions, mesnalties, reures, or conveyances, by fraud and covin, to the intent, to defraud the King of his *Prerogative*, *primer seisin*, livery, relief, wardship, marriages, or rights, or any other Lords of their wardships, reliefs, heriots, or other profits, and such estates or other conveyances be found by office to be so made by covin, fraud, or deceit : In this case, the King shall enjoy his prerogatives and profits aforesaid, according to this and the said former Act (notwithstanding such estates or conveyances) until such office be annulled by traverse, or otherwise : Also other Lords shall have their remedy in such cases, for their wardships, by writ of right of ward, and shall distrein and make avowry, or consuance by themselves or their Bailiffs, for their reliefs, heriots, and other profits, as if no such estate had been made : Howbeit the right and title of the donees, feoffees, lessees, and devisees thereof, against the divisors and his heirs, after the interest of the King and other Lords determined, are saved

XXIV. Provided, that every person, from whom the King or other Lord shall take any mannors, lands, &c. for their third part, or to make it up, may have reliefe in Chancery against every person, who shall be entituled (by any such will or gift) to the other two parts, to have such contribution for the same, as the Lord Chancellor or Keeper shall think convenient.

Wines.

I. **The Statute of Gloucester, 15.6.E.1.** The Major and Bailiffs, (*now Sheriffs*) of London, before the comming of the Barons (*which should be at their rising after Candlemas-term, as appears by the, 14. Chapt. of this Statute*) shall inquire of wine sold against the Assize, and shall present it before them at their comming, and then they shall be amerced, whereas they were wont to tarry, until the comming of the Justices. *Obsolete.*

II. **Stat. 4. E. 3. 12.** None shall sell wines but at a reasonable price, according to the price at the Ports from whence they come, and the expence of their carriage to the places, where they are sold: Trial shall be made of such wines twice a yeare, *viz.* at Easter and Michaelmas, and officers if need require, by the Lords of Towns, and their Bailiffe, and likewise by Majors and Bailiffs, and all corrupt wines shall be poured out, and the vessel broken; Also the Chancellor, Treasurer, Justices of the Benches, and Justices of Assise, shall have power to inquire of Majors, Bailiffs and Ministers of Townes, that do not observe this ordinance, and to punish them, as reason requires.

III. **Stat. 27. E. 3. Stat. 1. Cap. 9.** No English Merchant shall forestal Gascoyne wines, nor buy them of any Gascoyne or other, to pay in England, for any greater price, then they are commonly sold at in Gascoyne (because of Preft, peril of the sea, and by any other colour) in pain of life and member, and to forfeit their wines, goods, and chattels to the King, and their lands to the chiefe Lords: *But here the felonie and forfeiture of lands are repealed by 37. E. 3. 16. Ob.*

IV. **Cap. 6.** Gascoyne Merchants, and other Strangers may bring their wines to what Port of England they please; so as the Kings Butler may make purveyance for wines of Aliens, making payment for them within 40 dayes. *Ob.*

V. **Cap. 7.** No English Merchant shall buy wines in Gascoyne before the vintage; Nor then, but at Burdeaux and Bayon, upon the paine, mentioned in the 5 Chapt. *But that as to the felonie, and forfeiture*

feiture of lands is repealed by 37. E. 3. 16. as aforesaid. Obsolete.

VI. Stat. 37. E. 3. 16. The felony and forfeiture of lands inflicted by 27. E. 3. 5. & 7. are repealed, and inquiry shall be yearly made within the Kings dominions in *Gascoigne* of *Couchers* of *England*, who lie there to buy wines. *Obsolete.*

VII. Stat. 38. E. 3. 10. A confirmation of the Statutes made for wines. *Obsolete.*

VIII. Stat. 38. E. 3. 11. All Merchants Denizens, that be not Artificers, may go into *Gascoigne*, to fetch wines, and aliens may bring wines into this Realm.

IX. Stat. 43. E. 3. 2. English, Irish, and Welsh-men (being not Artificers) may fetch wine in *Gascoigne*, so as they finde sureties to buy 100 tun of their own goods, and to bring the same into *England*, *Ireland*, or *Wales*.

X. Stat. 6. R. 2. Stat. 1. 7. Sweet wines shall be sold in *England* at the price, that *Gascoign* and *Rhenish* wines are sold for, and not above, in pain to forfeit the same.

XI. Stat. 23. H. 6. 13. No new impositions shall be laid upon them, that buy wines in *Gascoign* and *Guierne*, by any of the Kings Officers in those parts, in paine of 20 *l.* and treble damages. *Obsolete.*

XII. Stat. 28. H. 8. 14. The Lord Chancellor, Treasurer, President of the Council, Privy Seal, and the two Chiefe Justices, or five, four, or three of them, have power (at their discretions) to set the prices of all kinde of wines, viz. or the But, Tun, Pipe, Hoghead, Puncheon, Tierce, Barrel, or Runlet, when they shall be sold in grosse; so as they cause the prices so set to be written, and openly proclaimed in Chancery in the Term-time, or else in the City, Burrough, or Town, where any such wines are sold in grosse.

XIII. None shall sell wine otherwise, then according to the prices so set and proclaimed, as aforesaid, in pain to forfeit 40 *l.* for every vessel otherwise sold, to be divided (in a Corporation) betwixt the King and the Head-Rulers there, but (out of a Corporation) betwixt the King and the prosecutor.

XIV. Justices of Peace and Head-officers have power to hear and determine the defaults of all such as sell wine in grosse or by retail contrary to this Act.

XV. Stat. 37. H. 8. 23. The great Officers appointed by the Statute of 28. H. 8. 14. to set prices upon wines, shall so set them between the 20 day of *November* and the last day of *December*, and

at no other time : and none, that sell wines either in grosse, or by retail, shall sell them above those prices, upon the penalties in the said Statute of 28. H. 8. contained.

XVI. If any refuse to sell their wines accordingly ; In *London*, the Major, Recorder, and two ancient Aldermen (being no Vintners) and in other places, the Major, Bailiffs, Aldermen, or other Officers (whereof the chiefe Officer is to be one) may enter the houses of such persons, and sell their wines at the prices so assessed, as aforesaid.

XVII. Stat. 7. E. 6. 5. None shall utter wine by retail, in any other place then in Cities, Burroughs, Port-Towns, or Market-Towns, or in *Gravesend*, *Sittingborn*, *Tuxford*, or *Bagshot* in pain to forfeit ten pounds for every day that they sell wine otherwise.

XVIII. None shall utter wine by retail in any City, Burrough or Corporation, but by licence of the most part of the Common Council, Aldermen, Burgesses, or Communalty there, under their common seal, nor in any City, Burrough, Port-Town, or Market-Town not corporate, or in *Gravesend*, *Sittingborn*, or *Bagshot*, without licence of the Justices of Peace of the County in Session, under their seal, in pain to forfeit 5 l. for every day that they sell wine otherwise, which said Officers, Commonalty, and Justices, have power to continue or change such licences at their discretions ; but shall not licence above two in one place, in pain to forfeit 5 l. a piece, except in these hereafter following, in which it shall be lawful to licence more then two, viz, in

<i>London</i>	40	<i>Shrewsbury</i>	3	<i>Southampton</i>	3
<i>York</i>	8	<i>Exeter</i>	4	<i>Canterbury</i>	4
<i>Normwich</i>	4	<i>Salisbury</i>	3	<i>Ipswich</i>	3
<i>Westminster</i>	3	<i>Glocester</i>	4	<i>Winchester</i>	3
<i>Bristol</i>	6	<i>Westchester</i>	4	<i>Oxford</i>	3
<i>Lincoln</i>	3	<i>Hereford-East</i>	3	<i>Cambridge</i>	4
<i>Hull</i>	4	<i>Worcester</i>	3	<i>Colebester</i>	3
				<i>Newcastle</i>	4

XX. None shall sell or utter Wine by retail to be spent in his or their Mansion-house, or in any other place in their tenure, by any colour, craft or engine in pain of 10 l.

XX. The abovesaid forfeiture shall be divided betwixt the King and the Prosecutor.

XXI. Ju-

XXI. Justices of Peace within every County and Corporation in Seff. Stewards in Leets, and Sheriffs in their turns, have power to enquire (by the oaths of twelve men) of all offences committed against this Act; in which case the forfeitures, which shall thereupon grow due, shall be divided betwixt the King and the poor of the Town or place, where the presentment shall be found.

XXII. This Act shall not prejudice the liberties of either of the Universities, nor charge any person offending, unlesse the suit be prosecuted within a year.

Witnesses.

I. Stat. 12. E. 2. 2. When a deed or other writing is denied in Court, wherein witnesses are named, processess shall be awarded to cause them to appear; and if they come not at the great distresse returned, or the return be, that they have nothing, or that they cannot be found, yet the Enquest shall proceed: but if the witnesses appear at the great distresse, and the Enquest for some cause remain untaken, the witnesses shall have like day given, as is assigned for the taking of the Enquest, when if they appear not, the issues first returned upon them shall be forfeit; and the taking of the Enquest shall not be deferred because of their absence, neither yet for the absence of witnesses dwelling in a Franchise, where the Kings writ runs not,

II. Stat. 5. El. 9. *Pars inde.* None served with processe out of a Court of Record, to testifie as a witness (being tendered convenient charges, and having no reasonable let) shall therein make default, in pain to forfeit to the party grieved 10 l. and besides to yield him such further recompence, as the Judge of the same Court shall think fit, according to the damage sustained: which said sums shall be by him recovered in any Court of Record by Action of debt, in which no wager, essoin, &c. shall be allowed.

Wood.

I. Stat. 35. H. 8. 17. In every severall wood, called Copice, or underwood, which shall be felled at 24 yeares growth or under, there shall be left unfelled for every acre thereof 12 Standils of Oake, and in case there shall not be so many Oakes, that number shall be made up of Elme, Ash, Aspe, or Beech, which Standils or Storers shall not be cut downe until they shall beare 10 Inches square within 3 foot of the ground; in paine that every owner of such

such woods shall forfeit for every Standil not so left; 3 s. 4 d. and also for every such Standil so left and afterwards cut down, as much; Both which forfeitures shall be divided betwixt the King and the Prosecutor.

I I. Under-woods felled at 14 yeares growth or under, shall during 4 yeares next after the 20 of *April* after their felling be preserved from destruction of cattel, in paine that the owner thereof shall forfeit for every rood thereof unfenced for every moneth 3 s. 4 d. And under-woods above 14 yeares growth and under 24 being so felled, shall during 6 yeares next after the 20 of *April* after such felling be so preserved, as aforesaid, upon the like paine.

I I I. None shall convert into pasture or tillage any such under-wood or Copice, containing 2 acres or above, and being two furlongs distant from the house of the owner thereof, or from the house, whereunto such wood doth appertain, in pain to forfeit 40 s. for every acre so converted.

I V. The Owner of Copices, above 24 yeares growth, shall at the felling thereof leave 12 such Standils of Oake, or (otherwise) of Elme, Ash, Berch, or Aspe, as aforesaid, in paine to forfeit 6 s. 8 d. for every Standil not so left; And shall not cut them down before they are of 20 yeares growth, in pain of 6 s. 8 d. for every one so cut downe; And farther shall preserve such underwoods 7 yeares after their felling from the destruction of cattel by fencing, in pain to forfeit for every rood thereof unfenced for every moneth 3 s. 4 d.

V. Howbeit, the Owner of such under-woods may fell such standils as aforesaid for his own use, for building, repairing, inclosing and maintaining of houses, orchards, or gardens, or for paling, railing or inclosing of Parkes, Forests, Chases, or other grounds, or for making or repairing of Water-workes, Dams, Bridges, Flood-gates, ships, or other vessel, notwithstanding this Act.

VI. Where there is such a Wood or Copice, wherein others have common, the Lord owner of the soile shall not fell or cut downe the same (except to his owne use) before he and the Commoners shall agree in the setting out of a fourth part thereof to be severally inclosed for the Lords use; And in case they cannot agree thereupon, two Justices of Peace appointed by the more part of the Justices in Sessions shall have power to call together twelve of the Commoners, and Inhabitants there, and with the Lords and their consent to set out the fourth part thereof to be severally inclosed by the said Lord within one moneth after, and then to be felled at his pleasure; and also to be subject to the abovesaid lawes of other Copices, upon such penalties, as aforesaid; Oncly if any beast be suf-

ferred to come into such fourth part within 7 yeares after they are felled, the owner of such cattel shall forfeit for every such beast 4 d. And if the owner of such wood or copice cut downe any trees or under-woods there contrary to the form aforesaid, he shall forfeit for every tree so cut down 6 s. 8 d.

VII. The said forfeitures are to be recovered in any Court of Record, and to be divided betwixt the King and the Prosecutor.

VIII. Here, during the said 7 yeares next after such felling of such fourth part, the Commoners shall be excluded for commoning therein, so also shall the Lord be debarred to common in the residue. But after the said 7 yeares expired both the Lord and Commoners may intercommon in the whole, as they did before the division.

IX. Provided, that every one may fell and enclose all such his copice, or underwoods in waste grounds as before this time have used to be enclosed, and preserved for the maintenance of wood and underwood, notwithstanding this Act.

X. The Commoners also (in case the said Lord do not fell his fourth part within 4 moneths after such division) may common in the said part until it be felled.

XI. This Act shall not extend to Under-woods in the wildes of Kent, Surrey, and Suffex, save onely to the common woods there.

XII. Neither shall it extend to any timber-trees, growing within two miles of the sea, in Cornwall, dead at the top, or taken by the Kings Commission; Neither shall any offender be punishable by this Act, unlesse he be prosecuted within one year after the offence committed.

XIII. None shall break or destroy any fence or hedge made for the saving of any such woods or under-woods, in pain of 10 s. Neither shall any suffer his swine (of the age of 10 weeks or above) to go or run in any such grounds or woods, unringed or unpegged, in pain to forfeit for them 4 d. a peece, which said forfeitures (in the Kings woods) shall be divided betwixt the King and the finder; But (in other woods) betwixt the owner of the field, and the Prosecutor.

XIV. Under-woods in a Park shall be preserved by fencing onely four yeares after the felling thereof.

XV. If such woods happen to be destroyed by the means of a stranger, and not by the owner himself or by his neglect, the Stranger shall be subject to the penalties of this Act, and not the Owner.

XVI. Yearling Colts and Calves may be put into such woods with

in two years after the felling thereof.

XVII. Stat. 1. El. 15. None shall convert or imploy to coal or other fuell, for the making of Iron, any timber-tree, or trees of Oake, Beech, or Ash, of the breadth of a foot square at the Stubs, and growing within 14 miles of the sea, or of any part of *Thames*, *Severn*, *Wye*, *Humber*, *Dee*, *Tine*, *Teese*, *Trent*, or other Navigable River, in paine to forfeit 40 s. for every tree so converted ; to be divided betwixt the King and the Prosecutor.

XVIII. This Act shall not extend to *Sussex*, the wilde of *Kent*, or to the Parishes of *Charlewood*, *Newdigate* or *Leigh* in the wilde of *Surrey*.

XIX. Stat. 13. El. 25. All Woods or Copices intended by the Statute of 35. H. 8. 17. to be enclosed, and the Springs thereof preserved, shall be so saved by the space of two yeares more then in the severall clauses of the said Act is severally limited, according to the age of such woods felled, upon such paines, as in the said Act are contained: And none shall put any cattel into any such Coppice woods from the time of their sale, until the end of five yeares, nor from the end of five yeares until the end of six yeares, any cattel but Calves and yeareling Colts only, until the end of six yeares, if the wood was under 14 yeares growth at the last fall, or until the end of 8 yeares, if it was above 14 yeares growth. And this Addition shall continue as long in force, as the said Statute of 35. H. 8. 17.

XX. Stat. 23. El. 5. None shall convert into coal or other fuel for the making of iron or iron-mettal, any wood or under-wood, growing within the compasse of 22 miles of *London*, or the suburbs thereof, or of the River of *Thames* from *Dorchester in Com. Oxon.* downwards, or within four miles of the foot of the *Downs* betwixt *Arundel* and *Pemsey in Com. Sussex*, or of *Winchelsey*, or *Rie*, or within two miles of *Pemsey*, or three miles of *Hastings* ; in paine to forfeit for every load so converted 40 s. to be divided betwixt the Queen and the prosecutor.

XXI. This Act shall not extend to any woods, growing in any such part of the wildes of *Surrey*, *Sussex*, or *Kent*, within 22 miles of *London*, or of *Thames*, as is distant above 18 miles from *London* or *Thames*.

XXII. No new Iron-works, shall be erected within 22 miles of *London*, 14 miles of *Thames*, or four miles of the said *Downs*, *Pemsey*, *Winchelsey*, *Hastings*, or *Rie*, in paine of 100 l. to be imployed, as aforesaid.

XXIII. This Act shall not extend to the woods of *Christopher Darrel, Gentleman, in Newdigate, in the weld of Surrey.*

XXIV. Stat. 27. El. 19. None shall make or set up within the Counties of *Sussex, Surrey, or Kent* any Iron-mill, furnace, finary, or blomary, for the making of iron or iron-mettal, other then upon some old Bayes or Pens, whereupon such works have been lately standing, or else upon such lands, where such works may be continually furnished with sufficient supply of the parties own woods, growing upon his own soil, being his in fee-simple, fee-tail, or for life, without impeachment of waste; nor shall convert to coal or other fuel for the making of such Iron or Iron-mettal, any sound timber-tree of oak, ash, or elm, which will bear a foot square at the stub, or any part thereof; in pain to forfeit for every such new work set up 300 *l.* and for every timber-tree so converted 40 *s.* to be divided betwixt the King and the prosecutor.

XXV. Howbeit, the lops and offal of such timber-trees may be converted to coal for the purposes aforesaid within the welds of *Sussex, Surrey, and Kent*; so as it be not within 18 miles of *London*; 8 miles of *Thames*, 4 miles of *Rie or Winchelsey*, 3 miles of *Hastings*, or 4 miles of the foot of the *Downs* betwixt *Arundel* and *Pemsley* aforesaid.

Wools.

I. Stat. 28. E. 3. Stat. 2. 3. Every man (as well stranger as other) may buy wools, as they can agree with the seller thereof.

II. Statutum Stapule, cap. 12. None shall transport wools, leather, or woelfels to *Barmick*, or elsewhere into *Scotland*; neither shall any sell wool, woelfels or leather to any Scotch-man, or to any other to be transported into *Scotland*, upon the pains contained in the third Article of this Statute, which see in Merchants.

III. Stat. 31. E. 3. 2. No wools shall be bought by fraud to abate the price thereof upon grievous forfeiture: also balances and weights for wools (*viz.* of the sack, half-sack, and quarter; pound, half-pound, and quarter) shall be sent to all the Sheriffs of *England*, according to which every person shall make theirs without fee or reward, and none shall buy or sell by any other weight, in pain to be fined at the Kings will.

IV. Stat. 31. E. 3. 8. No buyer of woolls shall make any other refuse of wools, then hath been heretofore used, *viz.* of cote, gare and villain fleeces: and every sack shall contain 16 stone, and

the stone 14 pound, according to the Standard of the Exchequer: also all wools, fells, and leather bought in the Countrey shall be brought to the staples, and there shall remain 15 dayes at least, and those that cannot be sold in that time shall be brought to the Ports ordained for the staple, to be transported beyond sea, paying the due customes and subsidies, viz. for a sack of wool 50 s. for 300 woolfels 50 s. and for a last of leather 100 s.

V. No wools vendible shall be lodged, shewed, or sold, within three miles of the Staple: Howbeit, every one (but a merchant) may lodge, shew, and sell his wools, (being of his own growing) in his own house, or elsewhere at his pleasure.

VI. Stat. 31.E.3.9. The Chancellor and Treasurer with the advice of others of the Kings Council shall have power to defer the transportation of wools, when they see it needful.

VII. Stat. 34.E.3.19. No custome or subsidie shall be paid for Canvas to pack wool in.

VIII. Stat. 36.E.3.11. All merchants may transport wools without restraint; and no subsidie or other charge shall be from henceforth set, or granted upon wools by Merchants, or others without assent in Parliament.

IX. Stat. 38.E.3.Stat.1.6. A repeal of the felony imposed by the Statute of the staple, cap. 3.27. E.3. (which see in Merchants) for transporting wools, &c. by English-men, but the forfeiture of lands and goods shall stand.

X. Stat. 43.E.3.1. Whereas the Staple of wools, &c. hath been holden at Calice since the first of March, Anno 37. E.3. That staple shall be wholly put out, and the staple shall be holden in these places following, viz. at Newcastle, Kingston upon Hull, Saint Buttolph, (alias Boston) Yarmouth, Quinborough, Westminster, Chichester, Winchester, Exeter, and Bristow; and the staples of Ireland, and Wales shall be kept at the places where they were first ordained: Obsolete.

XI. Stat. 45.E.3.4. No imposition or charge shall be put upon wools, woolfels, or leather (other then the custome and subsidie granted to the King) without assent of Parliament.

XII. Stat. 13.R.2.9. Pars inde. None shall buy or sell wool at more weight, then at 14 pounds to the stone, in pain to forfeit the double to the party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) shall make any other refuse of wool, but Cot, Gare or Villein.

XIV. None shall buy wools by these words, good packing, or the

the like, in pain that the Broker shall suffer half a years imprisonment, and the buyer shall make fine to the King, and recompence the party grieved his double damages; neither shall any cause wools to be cocketed, but in the owners name, in pain to forfeit the same.

XV. Stat. 2. H. 5. Stat. 2. 6. Merchandise of the staple, viz. wools, fells, leather, lead, or tin, shall not be transported beyond Sea without the Kings licence, until they be first brought to the staple, in pain to forfeit the same: *Obsolete.*

XVI. Stat. 8. H. 5. 2. Every Merchant-stranger buying wools in England to convey them to the West-parts or elsewhere, and not comming to the staple to sell them there, shall bring to the Master of the mint for every sack an ounce of Gold-Bullion, and for every three pieces of tin another such ounce of Bullion, or the value in silver-bullion; in pain to forfeit such wool, and tin, or the value thereof to the King: *Obsolete.*

XVII. Stat. 8. H. 6. 22. No Alien shall cause any wools (which he intends to convey out of the Realm) to be forced, clacked, or bearded; in pain to forfeit the same, together with the double value thereof, and besides to be imprisoned.

XVIII. Every wool-packer shall make good and due packing, and neither he nor any other shall make any inwinding within the fleece at the rolling thereof, nor put therein any locks, pelt-wool, tar, sand, earth, glass or dirt, in pain that the party grieved shall have his action of trespass and deceit against such offender at the common law.

XIX. Stat. 14. H. 6. 5. Wools and all other Merchandize in Creeks to be transported beyond sea shall be forfeited, whereof the King shall have the one moiety, and the finder the other: *Obsolete.*

XX. Stat. 23. H. 8. 17. None shall winde any fleece of wools not sufficiently rivered or washed, nor winde therein any clay, lead, stones, sand, tails, deceitful locks, cot, calls, comber, lambs wool, or any other thing, whereby the fleece may be more weighty to the deceit of the buyer, in pain that the seller of any such deceitful wool shall forfeit for every such fleece 6 s. to be divided betwixt the King and the finder.

XXI. This Act shall not extend to such Counties, where the Inhabitants have not customably used to river or wash their sheep before they be shorne, nor to any person, who hath used to sell their wooll by tail, or number of the fleeces, and not by weight.

XXII. Stat. 37. H. 8. 15. All persons are restrained to buy wools in *Norfolk*, and divers other Counties there mentioned, except merchants to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth: *But this Statute is now expired.*

XXIII. Stat. 1. E. 6. 6. Every person dwelling in *Norfolk* or *Norwich* may buy wools of *Norfolk* growth, as well as they might have done before the Statute of 37. H. 8. 15. so as they sell or retail the same again in some open market or place in *Norfolk*, or *Norwich* to some person or persons (dwelling also there) that will there spin the same.

XXIV. Stat. 2, 3. P. M. 13. Any inhabitant of *Hallifax* may buy wools, (otherwise then by engrossing and forestalling) so as they carry the same to *Hallifax*, and there sell it to such poor people of that or other Parishes adjoyning; as (to their knowledge) shall work them in cloth of yarn; and not to the rich Clothier nor any other to sell again.

XXV. If the wooll-driver shall sell his wools out of *Hallifax*, or if any buy wools in *Hallifax*, sell the same unwrought in yarn or cloth, every such offender shall forfeit the double value of the wool so sold or uttered, whereof the King and Queen is to have the one moiety, and the prosecutor the other: And Justices of Peace in Sessions have power to hear and determine these offences.

Women, Widdowes, Wives, and Maids.

I. Magna charta, 7. 9. H. 3. A Widdow immediately after her husbands death shall have her marriage and inheritance, and shall give nothing for her dower, marriage, or inheritance which her husband and she held the day of his death.

II. Also she shall remain in the chief house of her husband foutry dayes after his death, if the house be not at a Castle within which 40 dayes her dower shall be assigned her, if it were not assigned her before.

III. If the house be a Castle and she depart from thence, then shall a convenient house be forthwith provided for her, where she may conveniently dwell until her dower be assigned, and in the meane time she shall have reasonable estovers of the common; And
for

for her dower shall be assigned unto her the third part of all the land, which was her husbands in his life-time, unless she were before endowed of less at the Church-door.

I V. No Widow shall be distrained to marrie her self, while she will live without a husband: Howbeit she shall find suretie, that she shall not marry without the Kings licence and assent, if she hold of the King, nor without the assent of the Lord, in case she hold of another.

V. *Prerog. Regis*, 4. 17. E. 2. The King shall assign dower to the widowes of his tenants in chief, albeit the heir be at age (if the widowes will) and such widowes before assignment of their dower shall swear, that they will not marry themselves without the Kings licence, whether the heirs be of full age or not.

VI. If they marry without licence, the King shall seize (by way of distress the land they held of him in dower until he be satisfied at his own will, so that they shall take nothing of the issues thereof; For by such distresses they and their husbands must fine at his will, which in the time of H. 3. was estimated one yeares value of her dower.

VII. Women, that hold any inheritance of the King in chiefe (of what age soever they be) shall likewise sweare not to marry without the Kings licence; And if they do, their lands shall be seized, as aforesaid, until the King be satisfied at his will.

VIII. *Stat. 31. H. 6. 9.* Where any person or persons take women by force, or otherwise (by perswasion) get them into their possession, and when they so have them will not suffer them to go at large, until they have bound themselves by Obligations or Statute Merchant in great summes of money to them or others for their use, and many times compel them to be married against their likings, and levie such summes upon their lands; In these cases, the obligor shall have a writ out of the Chancery, containing the matter of such evil usage, directed to the Sheriffe of the County, where such offence is committed, to make Proclamation in full County, and also in the next County-Court after the receipt of the writ, that the offender shall appeare at a certain day prefixed in the writ before the Lord Chancellor, or otherwise before the Justices of Assize in the County, where the offence is done, or else before some other person thereunto assigned by the Lord Chancellor; At which day, if the offender appear, the said Chancellor, Justices, or other person shall duely examine the parties upon the premises; And

it it be found that the Obligations were so made, they shall be void, but otherwise they shall stand in force; Also if the offender appear not, they shall likewise be void, as also all the proceedings thereupon.

I X. Here, if the Sheriff be remisse in the execution of such a writ he shall forfeit 300 l. to be divided betwixt the King and the partie that purchased the same writ.

X. Stat. 4. 5. P. M. 8. None shall take or convey or cause to be taken or conveyed away any maid, or Woman-childe unmarried, being within the age of 16 years, out of the custodie and against the will of the father or mother of such childe, or of the person, to whom the father of such childe (by his last will, or other Act in his life-time) hath appointed Governance of such childe (except such taking shall be by or for such person, (as without fraud) is master or mistris of such childe, or her guardian (in Soccage, or Chivalrie) in pain of two yeares imprisonment without bail, or else to pay such fine, as shall be assessed by the Queenes Council in the Star-chamber.

X I. None shall take away, and deflower any such childe, or against the will of her father, if he be living, or of her mother (having the custody of her if the father be dead) contract matrimonic with any such childe (except by the tithe of wardship) in pain to suffer five yeares imprisonment, or else to pay such fine, as shall be assessed by the said Councill in the Star-chamber.

X I I. The said fines shall be divided betwixt the King and Queens Majesties, and the partie grieved.

X I I I. The said Council in the Star-chamber, and Justices of Assize have power to hear and determine these offences.

X I V. If any such childe, above the age of 12 yeares, and under the age of 16 years, do consent to any such contract of Matrimony, the next of the Kin, to whom her inheritance should come, shall enjoy it during her life: But after her decease it shall revert to the inheritor other then to him, that did so contract Matrimonic.

X V. Provided, that this Act shall not be prejudicial to any custome, or authoritie concerning Orphanes in London, or any other Citie, Borough, or Town.

Worstedes.

I. Stat. 17. R. 2. 3. Merchants and Workers of clothes, called single worsteds, may transport Boltes thereof, whither they please (except to the Kings Enemies) paying the customes and subsidies due for the same without paying the duties of *Calais*; So as under colour thereof they transport no double worsteds, halfe double worsteds, worsteds ray, or motley, in pain to forfeit the same.

II. Stat. 7. E. 4. 1. The Worsted-weavers in *Norwich* shall yearly upon Munday after *Pentecost* choose 4 of the same craft to be their wardens for that Citie; And likewise those of the County of *Norfolke* shall then also choose 4 of the same craft there to be their wardens for the said County; which wardens shall take their oaths before the Major of *Norwich*, and the Steward of the Duchy of *Lancaster* if the Steward be then resident in the said County, otherwise, before the Major alone.

III. The said wardens have power, for the yeare next insuing, to survey the workmanship of the Artificers of that craft, whether or no they worke well and make their worke of good stuffe, and likewise to make Ordinances for the amendment of the said worsteds and craft; All which Ordinances shall be obeyed and kept by the said Artificers, in paine to be punished by 4 of the said wardens either in City or County respectively (calling to them six other such Artificers) at the discretion of the said Major and Steward or one of them.

IV. Also the lengths and breadths of pieces of worsted are here set downe; For which see the Statute at large.

V. No Lambes-wooll shall be put in worsteds; and the said wardens have power to seize all such clothes, and stuff, being defective.

VI. The Major and Stewards aforesaid have power to heare and determine all offences committed against the said Ordinances, and at convenient times to call together the said twelve Artificers to be sworn to make search of the stuffe and worke wrought and made by the said wardens, and if they be found defective either in their office, or work, to punish them as other Artificers.

VII. The Wardens have also power to make such search in the Counties of *Suffolke* and *Cambridge*, as well as in *Norwich* and *Suffolke*.

VIII. Defective worsteds shall be forfeit, viz. (in *Norwich*) the one halfe

half thereof to the Major there, or (in Corporations, or other places) to the chiefe officers or Lord of the Mannor, and the other halfe to the said wardens : And worsted-weavers shall set their proper marks woven upon their stuffs, in pain to forfeit them to the King.

IX. The said 8 wardens shall yearly upon munday next after *Corpus Christi* assigne one, two, or more places in *Norwich*, and as many in *Norfolke*, and certaine dayes by the weeke, to the end that the worsteds to be put to sale that yeare may be brought before the said wardens to be searched, and if they finde them well made, they shall set a mark thereupon without fee, that the buyer may know, which are well searched, wrought, and made of good stuff: But if they shall finde them defective, the said Major and Steward, or one of them shall impose such correction for such default, as to them shall seem meet : And the price of every piece of worsted sold not marked shall be forfeited by the first seller thereof.

X. All Majors, Bailiffs and other officers shall be aiding and assisting to the said wardens in their search, as often as they shall be required by the said wardens or any of them so to do.

XI. Stat. 11. H. 7. 11. Citizens of *Norwich* may take to apprentice the son or daughter of any person.

XII. Stat. 5. H. 8. 4. None shall drie calander any worsteds, in pain to forfeit for every piece 5 *l.* Neither shall any wet calander any worsteds, unlesse he have served seven years, as an apprentice in that trade, and be approved by the Major of *Norwich*, and the two Masters of that Craft in *Norwich* or *Norfolke*, upon the like paine of 5 *l.* for every piece calandred contrary to this Act. Which said forfeitures shall be divided betwixt the King and the said Masters of the craft of wet calandring.

XIII. Stat. 14. 15. H. 8. 3. A long Statute for worsted-weavers in *Yarmouth* and *Linne*; The Election, Oath, and Authority of a warden for *Yarmouth*; Every person shall marke his worsteds, sayes, &c. with his several marks; The Election, Oath, and Authority of a warden for *Linne*; Every worsted weaver in *Linne* shall be an Englishman borne, and shall have his proper marke; A warden of *Norwich* or *Norfolke* shall come to *Linne*, when there is no warden there, and his allowance by the day for his charges in coming thither; What names, or additions the parties grieved shall use in their actions, whereupon the particular bodies of the wardens, or inhabitants may be put in execution; Clothes marked by wardens of *Linne*, or *Yarmouth* may be lawfully put to sale; What ap-

apprentices worsted-weavers in *Linne* and *Yarmouth* may take; This Statute shall not be prejudicial to the Major of *Norwich* or the wardens there; None shall shear, die, or calander any worsted's, sayes, &c. Save onely in *Norwich*; Neither shall any such stuffs be transported before they be so shorne, died and calendred. See the Statute at large.

XIV. Stat. 25. H. 8. 5. The Statute of 5. H. 8. 4. is made perpetual, and none that dieth worsteds, stamins, or sayes, shall use to calender them, in pain to forfeit for every piece 40 s. to be divided into three parts, whereof the King is to have one, the Major of *Norwich* another, and the Prosecutor the third.

Wrecke.

I. *West* 1. 4. 3. E. 1. Where a man, dog, or cat escape alive out of the ship, neither the ship or other vessel, nor any thing therein shall be adjudged wreck, but the goods shall be saved and kept by the Sheriff, Coroners, or the Kings Bailiffs, and delivered to the Inhabitants of the Town, where the goods are found; so that if any within a year and a day sue for those goods, and after prove that they were his at the time of the Shipwrack, they shall be restored to him without delay; But if not, they shall be seized by the said Sheriff, Coroners, or Bailiffs for the Kings use, and shall be delivered to the Inhabitants of the Town, who shall answer before the Justices for the wreck belonging to the King.

II. Also where the wreck belongeth to another, he shall have it in like manner; and if any be attainted to have done otherwise, he shall suffer imprisonment, make fine to the King, and yield damages also.

III. If a Bailiffe do it, and it be disallowed by his Lord, the Bailiffe shall answer for it (if he have whereof) but if not, the Lord shall deliver his Bailiffs body to the King.

IV. *Prerog. Reg.* 11. 17. E. 2. The King shall have wreck of the Sea, Whales, and great Sturgeons taken in the Sea, and elsewhere throughout the whole Realm, except in places priviledged by the King.

Writs and abatements of Writs.

I. *West.* 2. 24. 13. E. 1. *Pars inde.* Where in the Chancery in one case a writ is found, and in another case falling under like law, and requiring like remedy, there is found none, the Clerks of the Chancery shall agree in making the writ, or the plaintiffs may adjourn it until the next Parliament, and then the cases being written, in which they cannot agree, let them refer themselves to the next Parliament, where (by the consent of men learned in the law) a writ shall be framed: lest the Kings Court should fail to administer Justice to complainants.

II. *West.* 2. 49. 13. E. 1. *Pars inde.* Where the law faileth, lest suitors should depart from the Kings Court without remedy, writs shall be provided in their cases.

III. *Stat.* 6. R. 2. *Stat.* 1. 2: If in writs of debt, accompt, and the like, it shall be declared, that the contract thereof was made in another County, then is contained in the original writ, such writ shall be abated.

Yarne.

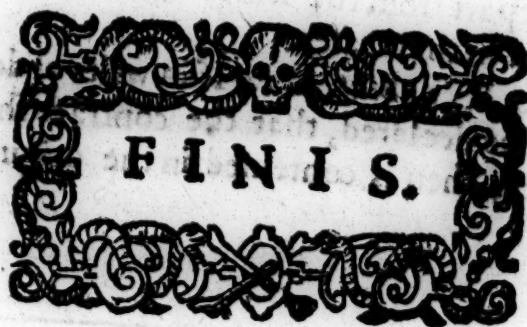
I. *Stat.* 8. H. 6. 23. **N**One shall export any Thrums or Woollen Yarne under colour of Thrums, in pain to forfeit the double value thereof.

York.

I. *Stat.* 29. H. 6. 3. All Letters Patents granted to Citizens of York, to be exempt of the offices of Majoralty, Sherifwick, Chamberlain, Collector of Dismes and Quinzims, and Citizen for the Parliament, shall be void: and the Citizen who purchaseth or taketh such exemption shall forfeit 40*l.* to the King, and Major and Citizens of York.

II. *Stat.*

II. Stat. 34,35.H.8.10. An Act for making of Coverlets with-
in York, and none shall be made to be put sale in Yorkshire, but
only in the Town of York, together with divers other good provisi-
ons touching that subject, for which see the Statute at large.



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11	Approvements	01	Prison
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17	Hats and Caps	9	Merchants
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20	Painters	12	Havens and Rivers
21	Brokers	13	Marshes and Fens
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26	Exchequer	3	Poor people
27	Fesants and Partrid-	4	Bastardy, Vagabonds
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18	Husbandry
20	Marshes and Fens
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12	Evidence (&c.)
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17	usury
18	Drapery
19	Bankrupts
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21	Vittuall, &c.
22	Butter
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26	Felony
27	Bastardy
28	Horses, &c.
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3	War
4	War
5	War
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7	Parliament
9	War
10	Courts
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16	Forests
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18	England and Scot- (land
19	Clerk of the Market
20	Knights
21	Gun-powder
24	Captives
27	Ability
30	Ireland
33	Ireland
34	Ireland
35	Ireland
37	Ireland



A TABLE, shewing the beginning
of every Kings Raigh from the CON-
QUEST, together with the year of *Christ*,
answering to every yeare of each Kings
Raigh, the yeares beginning at the 25th.
of *March*.

William the Conquerour <i>began his Raigh the 15.</i> <i>of Octob. 1066. and there- fore had Raigned one year compleat, Oct. 15. 1067.</i>	14	1080
	15	1081
	16	1082
	17	1083
	18	1084
	19	1085
	20	1086

A N. Reg. An. Dom.

1	1067
2	1068
3	1069
4	1070
5	1071
6	1072
7	1073
8	1074
9	1075
10	1076
11	1077
12	1078
13	1079

10. Moneths 21. Dayes.
His Raigh ended the 9th. of
Sept. 1087.

William Rufus began his
Raigh September 9th.
1087.

A	N. Reg.	An. Dom.
1		1088
2		1089
		3

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3	1090	18	1118
4	1091	19	1119
5	1092	20	1120
6	1093	21	1121
7	1094	22	1122
8	1095	23	1123
9	1096	24	1124
10	1097	25	1125
11	1098	26	1126
12	1099	27	1127
11: Moneths, 18. Dayes.		28	1128
		29	1129

Hen. I. Aug. I. 1100.

An. Reg. An. Dom.

1	1101	30	1130
2	1102	31	1131
3	1103	32	1132
4	1104	33	1133
5	1105	34	1134
6	1106	35	1135

4. Moneths 12. Dayes

Steph. Decemb. 2. 1135.

An. Reg. An. Dom.

7	1107	1	1136
8	1108	2	1137
9	1109	3	1138
10	1110	4	1139
11	1111	5	1140
12	1112	6	1141
13	1113	7	1142
14	1114	8	1143
15	1115	9	1144
16	1116	10	1145
17	1117	11	1146
		12	1147

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13	1148	24	1178
14	1149	25	1179
15	1150	26	1180
16	1151	27	1181
17	1152	28	1182
18	1153	29	1183
11. Moneths 20. Dayes.		30	1184
		31	1185
Hen. 2.	Oct. 25. 1154.	32	1186
An. Reg.	An. Dom.	33	1187
1	1155	34	1988
2	1156	9. Mon. 3. da.	
3	1157	R. 1. July 9. 1189.	
4	1158	An. Reg.	An. Dom.
5	1159	1	1190
6	1160	2	1191
7	1161	3	1192
8	1162	4	1193
9	1163	5	1194
10	1164	6	1195
11	1165	7	1196
12	1166	8	1197
13	1167	9	1198
14	1168	9. Moneths, 19. Dayes	
15	1169	John. April. 6. 1199.	
16	1170	An. Reg.	An. Dom.
17	1171	1	1200
18	1172	2	1201
19	1173	3	1202
20	1174	4	1203
21	1175	5	1204
22	1176	6	
23	1177		

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6	1205	20	1236
7	1206	21	1237
8	1207	22	1238
9	1208	23	1239
10	1209	24	1240
11	1210	25	1241
12	1211	26	1242
13	1212	27	1243
14	1213	28	1244
15	1214	29	1245
16	1215	30	1246
17	1216	31	1247
7. Moneths O. da.		32	1248
Hen. 3. Oct. 19. 1216.		33	1249
An. Reg.	An. Dom.	34	1250
		35	1251
1	1217	36	1252
2	1218	37	1253
3	1219	38	1254
4	1220	39	1255
5	1221	40	1256
6	1222	41	1257
7	1223	42	1258
8	1224	43	1259
9	1225	44	1260
10	1226	45	1261
11	1227	46	1262
12	1228	47	1263
13	1229	48	1264
14	1230	49	1265
15	1231	50	1266
16	1232	51	1267
17	1233	52	1268
18	1234	53	1269
19	1235		54

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54	1270	28	1300
55	1271	29	1301
56	1272	30	1302
1. Moneth O. da.		31	1303
Edw. 1. Nov. 16. 1272.		32	1304
An. Reg.	An. Dom.	33	1305
		34	1306
1	1273	8. Mon. 9. da.	
2	1274	Edw: 2. July 7. 1307.	
3	1275	An. Reg.	An. Dom.
4	1276	1	1308
5	1277	2	1309
6	1278	3	1310
7	1279	4	1311
8	1280	5	1312
9	1281	6	1313
10	1282	7	1314
11	1283	8	1315
12	1284	9	1316
13	1285	10	1317
14	1286	11	1318
15	1287	12	1319
16	1288	13	1320
17	1289	14	1321
18	1290	15	1322
19	1291	16	1323
20	1292	17	1324
21	1293	18	1325
22	1294	19	1326
23	1295	7. Mon. 9. da.	
24	1296		
25	1297		
26	1298		
27	1299		

Edw.

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Edw. 3. Jan. 25. 1326:

An. Reg.

An. Dom.

1	1327	33
2	1328	34
3	1329	35
4	1330	36
5	1331	37
6	1332	38
7	1333	39
8	1334	40
9	1335	41
10	1336	42
11	1337	43
12	1338	44
13	1339	45
14	1340	46
15	1341	47
16	1342	48
17	1343	49
18	1344	50
19	1345	
20	1346	
21	1347	
22	1348	
23	1349	
24	1350	
25	1351	
26	1352	
27	1353	
28	1354	
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1371

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5. Mon. 7. da.

R. 2. June 21. 1377.

An. Reg.

An. Dom.

1	1378
2	1379
3	1380
4	1381
5	1382
6	1383
7	1384
8	1385
9	1386
10	1387
11	1388
12	1389
13	1390
	14

The 3. Table.

14	1391	5	1417
15	1392	6	1418
16	1393	7	1419
17	1394	8	1420
18	1395	9	1421
19	1396		
20	1397		
21	1398		
22	1399		

5 mon. 24 da.

H. 6. Aug. 31. 1422.

An. Reg.

An. Dom.

3 mon. 14 da.

H. 4. Sept. 29. 1399.

An. Reg.

An. Dom.

1	1400	5	1423
2	1401	6	1424
3	1402	7	1425
4	1453	8	1426
5	1404	9	1427
6	1405	10	1428
7	1406	11	1429
8	1407	12	1430
9	1408	13	1431
10	1409	14	1432
11	1410	15	1433
12	1411	16	1434
13	1412	17	1435
		18	1436
		19	1437
		20	1438
		21	1439
		22	1440
		23	1441
		24	1442
		25	1443
			1444
			1445
			1446
			1447

6 mon. 3 da.

H. 5. Mar. 20. 1412.

An. Reg.

An. Dom. 3

1	1414	22	
3	1415	23	
	1416	24	
	1417	25	

The 3. Table.

26	1448	18	1478
27	1449	19	1479
28	1450	20	1480
29	1451	21	1481
30	1452	22	1482
31	1453	1 mon. 8 da.	
32	1454	R. 3 June 22. 1483.	
33	1455		
34	1456	An. Reg.	An. Dom.
35	1457	1	1484
36	1458	2	1485
37	1459	2 mon. 5 da.	
38	1460	H. 7 Aug. 22. 1485.	

6 mon. 16 da.

An. Reg. An. Dom.

Edw. 4 Mar. 4. 1460.		1	1486
An. Reg.	An. Dom.	2	1487
1	1461	3	1488
2	1462	4	1489
3	1463	5	1490
4	1464	6	1491
5	1465	7	1492
6	1466	8	1493
7	1467	9	1494
8	1468	10	1495
9	1469	11	1496
10	1470	12	1497
11	1471	13	1498
12	1472	14	1499
13	1473	15	1500
14	1474	16	1501
15	1475	17	1502
16	1476	18	1503
17	1477	19	1504

V u

20

The 3. Table.

20	1505	26	1535
21	1506	27	1536
22	1507	28	1537
23	1508	29	1538
8 mon. 19 da.		30	1539
H. 8 April 22. 1509		31	1540
An. Reg.	An. Dom.	32	1541
1	1510	33	1542
2	1511	34	1543
3	1512	35	1544
4	1513	36	1545
5	1514	37	1546
6	1515	10 mon. 1 da.	
7	1516	Edw. 6 Jan. 28. 1546.	
8	1517	An. Reg.	An. Dom.
9	1518	1	1547
10	1519	2	1548
11	1520	3	1549
12	1521	4	1550
13	1522	5	1551
14	1523	6	1552
15	1524	5 mon. 19. da.	
16	1525	Mar. Jul. 6. 1553.	
17	1526	An. Reg.	An. Dom.
18	1527	1	1554
19	1528	2	1555
20	1529	3	1556
21	1530	4	1557
22	1531	5	1558
23	1532	4 mon. 22 da.	
24	1533		
25	1534		

El.

The 3. Table.

Eliz No. 17 1558.		33	1591
An. Reg.	An. Dom.	34	1592
1	1559	35	1593
2	1560	36	1594
3	1561	37	1595
4	1562	38	1596
5	1563	39	1597
6	1564	40	1598
7	1565	41	1599
8	1566	42	1990
9	1567	43	1601
10	1568	44	1602
11	1569	4 mon. 15 da.	
12	1570	Jac. Mar. 24. 1602.	
13	1571	An. Reg.	An. Dom.
14	1572	1	1603
15	1573	2	1604
16	1574	3	1605
17	1575	4	1606
18	1576	5	1607
19	1577	6	1608
20	1578	7	1609
21	1579	8	1610
22	1580	9	1611
23	1581	10	1612
24	1582	11	1613
25	1583	12	1614
26	1584	13	1615
27	1585	14	1616
28	1586	15	1617
29	1587	16	1618
30	1588	17	1619
31	1589	18	1620
32	1590	19	1621
			20

The 3. Table.

20	1622	10	1634
21	1623	11	1635
22	1624	12	1636
O. mon. 3 da.		13	1637
		14	1638
Carol. Mar. 27. 1625.		15	1639
An. Reg.	An. Dom.	16	1640
1	1625	17	1641
2	1626	18	1642
3	1627	19	1643
4	1628	20	1644
5	1629	21	1645
6	1630	22	1646
7	1631	23	1647
8	1632	24	1648
9	1633		

King Charles died the 30 of Jan. 1648. having
 Raigned 11 moneths above 23 years,
 according to 28 daies per *menssem*.

F I N I S.

